

November 30, 2023

Additional DJUSD Comments for the Village Farms Project

To Dara Dungworth:

Thank you for the opportunity to submit feedback regarding the Village Farms Davis residential development project. The Davis Joint Unified School District (DJUSD) has reviewed the project description and after further reflection and community questions provides the following additional comments related to potential impacts on student enrollment in district public schools and on safe routes to school.

Enrollment:

Using historical student yield data for past local developments, this project is projected to generate between 900 and 1,100 students from Transitional kindergarten through grade 12 (TK-12). These numbers could yield new students to DJUSD or include current students relocating from other areas. Based on this projection data, DJUSD believes that current school facilities are likely to be impacted by the predicted student growth generated by Village Farms Davis and DJUSD may need to construct an additional elementary (TK-6) school to meet the forecasted demand depending on the enrollment conditions at the time. However, the District intends to reduce the number of non-resident students in corresponding numbers to the increase in resident students as a result of the Village Farms development project. While the construction of an additional elementary (TK-6) school is possible, it is not likely based on our demographic projections.

Fiscal Impact Mitigation:

Potential impacts of new student enrollment can be financially mitigated through multiple sources of funding. These include current Mello-Roos taxes and potential negotiated development agreements (for land and/or funding). Our records indicate that this property is subject to the Mello-Roos Community Facilities District No. 1 assessment, which is a districtwide tax and the Mello-Roos Community Facilities District No. 2 assessment, which is a parcel-specific tax for the purpose of financing new and improved school facilities for students generated by new development within DJUSD (in lieu of School Impact Fees). The District does not anticipate any additional fiscal impact mitigation. The District will continue to discuss with Village Farm developers to explore the possibility of land for a pre-school campus and DJUSD Farm within the project.

Thank you for the opportunity to submit comments.

Sincerely,

Bruce Colby

Bruce Colby
Deputy Superintendent
Davis Joint Unified School District



December 4, 2023

COMMISSION
CHAIR
OLIN WOODS
Public Member

Sherri Metzker
Community Development and Sustainability Director
City of Davis
23 Russell Boulevard
Davis, CA 95616

MARY VIXIE SANDY
Supervisor – 3rd District

NORMA ALCALA
Councilmember
City of West Sacramento

Re: Notice of Preparation for the Village Farms Davis Project Draft Environmental Impact Report (EIR)

BILL BIASI
Mayor
City of Winters

Dear Ms. Metzker:

LUCAS FRERICHS
Supervisor – 2nd District

Thank you for the opportunity to comment on the Notice of Preparation for the Village Farms Davis Project (the “Project”) Draft EIR. As you know, LAFCo will be a responsible agency for the Project and, if the Project approved by the City Council and its voters, LAFCo will rely on this EIR to process a subsequent Sphere of Influence Amendment and Annexation of the Project area to the City of Davis.

ALTERNATES
RICHARD DELIBERTY
Public Member

Yolo LAFCo’s scope of review will include items germane to our mission of providing efficient government services and protecting agricultural land and open space. As such, LAFCo requests that the issues below be addressed in the Draft EIR.

GLORIA PARTIDA
Councilmember
City of Davis

Orderly Development and Efficiently Extending Government Services

JIM PROVENZA
Supervisor – 4th District

Based on our December 1, 2023, meeting, my understanding is the proposed groundwater recharge basin is not required to retain Project-related storm water and not considered Project infrastructure, and therefore will be removed from the Drainage Infrastructure Exhibit (Sheet 11.3 dated 07/17/23). And if a groundwater recharge basin feature is to be provided, it will be part of the Project’s mitigation and/or overall benefits strategy. The Project applicants will be meeting with the Yolo Groundwater Sustainability Agency regarding the site’s suitability for a groundwater recharge pilot project.

STAFF

CHRISTINE M. CRAWFORD, AICP
Executive Officer

TERRI TUCK
Administrative Specialist II/Clerk

COUNSEL
ERIC MAY

Depending on what entity, if any, will operate and maintain the groundwater recharge basins in perpetuity, LAFCo recommends the Draft EIR be mindful of potential jurisdictional issues. Assuming these basins would remain in the unincorporated area, please ensure there are no jurisdictional or CEQA issues with the County issuing any necessary permits.

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www.yololafco.org

Preserving Open-Space and Prime Agricultural Lands

The Draft EIR should be consistent with Yolo LAFCo’s Agricultural Conservation Policies so LAFCo can rely on it as a Responsible Agency under CEQA without any additional evaluation. Yolo LAFCo Project Policies can be found for review on our website.¹

1. Please pay close attention to policies 4.8 through 4.12, and 4.16. Impacts to agricultural resources from developing the Project itself, plus the continued productivity and viability of surrounding agricultural lands should be evaluated in the Draft EIR.

¹ <https://www.yololafco.org/files/15c90460d/LAFCo+Project+Policies-Updated+10.28.2021.pdf>

2. The Project materials indicate the area proposed for an agricultural conservation easement for mitigation purposes will also be compromised to some extent by the groundwater recharge basins. The extent to which the agricultural lands may be compromised should be discussed. Although Policy 4.10 indicates the Commission will not accept an agricultural conservation easement or property that is "stacked" or otherwise incompatible with viable agricultural activities and operations, since LAFCo's required mitigation ratio of 1:1 is 50% of the City's requirement of 2:1, LAFCo's mitigation policy would be satisfied regardless.
3. Regarding Yolo LAFCo Project Policy 4.16, please note that LAFCo uses a definition for prime agricultural land in state law that is different from what is more commonly used. The Draft EIR's evaluation of impacts to agricultural resources should be consistent with Yolo LAFCo's definitions of prime agricultural land as well.

Thank you again for consulting with Yolo LAFCo. If you have any questions, please feel free to contact me.

Best regards,



Christine M. Crawford, AICP

- c: Rochelle Swanson, Project Agent
Mike Webb, Davis City Manager
Dara Dungworth, City of Davis Principal Planner
Leslie Lindbo, Yolo County Director of Community Services
Stephanie Cormier, Yolo County Planning Manager



NATIVE AMERICAN HERITAGE COMMISSION

November 2, 2023

Sherri Metzker
City of Davis
23 Russell Boulevard
Davis, CA 95616

RECEIVED
NOV 07 REC'D
COMMUNITY DEVELOPMENT
DEPARTMENT

CHAIRPERSON
Reginald Pagaling
Chumash

Re: 2023110006, Village Farms Davis Project, Yolo County

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

Dear Ms. Metzker:

SECRETARY
Sara Dutschke
Miwok

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Laurena Bolden
Serrano

COMMISSIONER
Reid Milanovich
Cahuilla

COMMISSIONER
Vacant

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok, Nisenan

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

NAHC HEADQUARTERS
1550 Harbor Boulevard
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West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

cc: State Clearinghouse

Dara Dungworth

From: Sherri Metzker
Sent: Monday, November 13, 2023 12:22 PM
To: Dara Dungworth
Subject: FW: Village Farms Draft EIR Scoping meeting YHC comments
Attachments: 20231114040801460.pdf

-----Original Message-----

From: Charlie Tschudin <charlie@yolohabitatconservancy.org>
Sent: Monday, November 13, 2023 12:01 PM
To: Sherri Metzker <SMetzker@cityofdavis.org>
Cc: Elisa Sabatini <Elisa@yolohabitatconservancy.org>; Elisa Sabatini <Elisa.Sabatini@yolocounty.org>
Subject: Village Farms Draft EIR Scoping meeting YHC comments

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Hi Sherri,

I hope you're well. The YHC received the attached notice and I submitting a comment on behalf of the Conservancy. Village Farms is considered a 'covered activity' and can receive biological resource coverage under the Yolo HCP/NCCP take permits. Once the DEIR biological section is prepared and ready for review, I'll take a look and send more substantial comments/questions at that time. Please let me know if you have any immediate questions. Thank you!

Charlie Tschudin

Natural Resources Planner
Yolo County Dept. of Community Services
Yolo Habitat Conservancy
Office: (530) 666-8850
Cell: (530) 682-4925

-----Original Message-----

From: ppwbuilder@yolocounty.org <ppwbuilder@yolocounty.org>
Sent: Monday, November 13, 2023 12:08 PM
To: Charlie Tschudin <Charlie.Tschudin@yolocounty.org>
Subject: Message from "PPW-BUILDER"

This E-mail was sent from "PPW-BUILDER" (IM C8000).

Scan Date: 11.14.2023 04:08:01 (+0800)
Queries to: ppwbuilder@yolocounty.org

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TO

Sherri Metzker

Community Development Director

12/8/2023

City of Davis

23 Russell Blvd, City Hall

Davis, CA 95616

Yolo Transportation District Comments re: Village Farms Davis EIR Scoping

Dear Ms. Metzker,

On November 6, 2023 The Yolo Transportation District (YoloTD) received the Notice of Scoping Meeting and Preparation of a Draft Environmental Impact Report for the Village Farms Project. As the consolidated countywide transportation services and congestion management agency, YoloTD appreciates the opportunity to comment on the project. We take this opportunity to share our thoughts on this proposed project based on our review of the submitted planning application and discussions that occurred between YoloTD, Unitrans, and the project applicants at a July 5, 2023 meeting. Our comments are limited to two areas directly related to YoloTD's interests: land use and transportation.

Overview of Current Transit Service. YoloTD currently offers limited public transportation service in the vicinity of the project. Prior to September 2022, YoloTD provided regular, intercity service between Woodland, Davis, W. Sacramento, and Sacramento with stops in both directions on Covell Blvd at the southern project boundary. In September 2022, that service was re-routed in accordance with our adopted Comprehensive Operational Analysis onto Fifth Street rather than heading north-/southbound at F Street in Davis. YoloTD's only other route currently serving the Village Farms vicinity is our Express Route 43/43R serving weekday peak commute trips between Davis and downtown Sacramento.

Future Transit Planning. The Covid pandemic greatly reduced transit ridership nationwide, including YoloTD, which resulted in suspending several routes. One example was the Spring Lake Express Route 243, which served Woodland commuters between Spring Lake and UC Davis via County Road 102/Pole Line Rd. YoloTD is soon launching a Short-Range Transit Plan (SRTP) update which will explore restoring and potentially expanding service along this route to accommodate Woodland-Davis travel needs, including service to the Woodland Gateway commercial center. If restored, this route is unlikely to serve the interior of the Village Farms development to 1) maintain travel time competitiveness and 2) due to the proposed Village Farms street layout.

Project Land Use. The planning application's Land Use Plan Exhibit illustrate the development's land use distribution by residential density type. Currently, the site layout locates medium- and

high-density residential units at the project’s southern boundary, which supports transit service on Covell Blvd. However, to maximize potential Woodland-Davis ridership along a restored Route 243 and existing Unitrans L Route, the site plan should also redistribute the northernmost medium- and high-density residential development to the project’s southeastern and eastern boundary, consistent with existing development east of Pole Line Rd. This is facilitated by repositioning Heritage Oak park from the southeast corner to slightly north and to the center such that the proposed park’s northwest corner becomes the southeast corner. Medium- and high-density residential uses should front Pole Line Rd (and Covell Blvd) and include supportive public transportation and multi-modal infrastructure meaningfully integrated into frontage improvements design, including welcoming bus shelters, pedestrian-scale lighting, Class I multi-use paths, secure bike parking, and drop-off areas for shared micromobility systems. The end effect is “wrap around” transit-supportive densities along Pole Line Rd and Covell Blvd project boundaries.

TDM/VMT Plan. The planning application’s Transportation and Circulation section describes the intended layout and facilities for the internal transportation system. Not mentioned, and perhaps more appropriate for the EIR analysis, is the project’s expected VMT generation. In a July 2023 meeting with project representatives, YoloTD staff communicated that VMT generation would likely be a significant impact in the EIR and that a proactive approach to address transportation demand for Village Farms residents would be needed to mitigate against those impacts. That is, addressing VMT passively through multi-modal supportive infrastructure within the site is inadequate mitigation.


In July, YoloTD recommended developing and implementing a transportation demand management (TDM) program to reduce the project’s VMT impacts. When combined with relocating the medium- / high-density residential to more transit-supportive locations, the project will not only perform better from a CEQA standpoint but also improves consistency with City transportation sustainability goals through intentional site design. A TDM plan should be developed by experts in the field, employ best practices, and require membership in the existing countywide TDM program, Yolo Commute, as a condition of approval and to assist with implementation.

The topics referenced in this letter provide some insight into our thoughts on this exciting development project. We look forward to collaborating with the City of Davis and the project applicant as it proceeds through the City’s development application process.

Sincerely,



Brian Abbanat
Acting Planning Director



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babbanat@yctd.org
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Woodland, CA 95776
YoloTD.org

California Department of Transportation

DISTRICT 3
703 B STREET | MARYSVILLE, CA 95901-5556
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December 5, 2023

GTS# 03-YOL-2023-00222
SCH# 2023110006

Ms. Sherri Metzker
Community Development Director
City of Davis
Department of Community Development and Sustainability
23 Russell Blvd.
Davis, CA 95616

Village Farms Davis – Notice of Preparation

Dear Ms. Metzker,

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. We reviewed this local development for impacts to the State Highway System (SHS) in keeping with our mission, vision, and goals, some of which includes addressing equity, climate change, and safety, as outlined in our statewide plans such as the California Transportation Plan, Caltrans Strategic Plan, and Climate Action Plan for Transportation Infrastructure.

The project is located north of East Covell Boulevard, east of F Street, and west of Pole Line Road, Davis, California. The proposed project includes development of a 7.78-acre portion of APN 042-110-029, with the remaining 163 acres of the parcel being considered off-site and subject to potential project-related improvements focused on regional aquifer recharge and agricultural mitigation purposes. In general, the proposed project would consist of a mixed-use development community, including a total of 1,800 dwelling units, comprised of both affordable and market-rate single- and multi-family residences, across various residential neighborhoods. In addition, the proposed project would include neighborhood services; public, semi-public, and educational uses; associated on-site roadway improvements; utility improvements; parks, open space, and greenbelts; and off-site improvements. Based on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) provided, Caltrans has the following comments:

Highway Operations / Traffic Safety

The project includes construction of a mixed-use development community that includes 1,800 dwelling units, neighborhood services, public/semi-public uses (such as an Early Learning Center and Emergency Services Community Center, and parks/recreating uses. The main access points to the project are on Covell Boulevard and Pole Line Road.

The NOP states that the Transportation chapter of the EIR will be based on a project-specific Traffic Impact Study (TIS) that will evaluate potential project transportation impacts under Existing Plus Project and Cumulative Plus Project conditions associated with vehicle-miles traveled (VMT), transit services and facilities, bicycle facilities, pedestrian facilities, construction activities, emergency access, and roadway hazards. Caltrans District 3 Office of Freeway Operations requests that the TIS also include an evaluation of operational and safety impacts at the following interchanges:

- State Route 113 (SR 113)/Covell Boulevard
- Interstate 80 (I-80)/Mace Boulevard
- I-80/Richards Boulevard

This evaluation should investigate the off-ramp queue lengths at these interchanges under "Plus Project" conditions for weekday peak hours, using a calibrated traffic microsimulation model, constructed in software such as SimTraffic or VISSIM. Please include on-ramp meters in these simulations, coordinating with Caltrans Freeway Operations staff on existing and future ramp metering assumptions. Please conduct the evaluation using the maximum queue length instead of the 95th percentile queue length.

Additionally, please analyze weekday peak hour level of service operations at the ramp terminal intersections of these interchanges. Please analyze on-ramp queues from ramp meters at these interchanges, using methodology described in the Ramp Metering Design Manual. If these analyses determine the addition of the project would adversely affect operations and safety of the freeway mainline or listed interchanges, the project will need to pay fair-share towards interchange improvements.

Forecasting & Modeling

This project entails the development of residential units, service facilities, educational facilities, parks, and land that is dedicated for limited building construction. In addition, roadway and utility enhancements are planned. As per the NOP, a TIS for this project will be conducted to ensure that the California Environmental Quality Act's requirements are met and the TIS's results will be documented in the Transportation chapter of the EIR. The TIS will be focused on workday VMT impacts of both Existing Plus

Sherri Metzker, Community Development Director

December 5, 2023

Page 3

Project and Cumulative Plus Project scenarios. As such, traffic related influences of the completely constructed project's properties, transit ways/stops, active transportation ways, construction work, emergency routes, and vehicle traveled way dangers will be considered in the TIS. We are looking forward to review the specific sections of the EIR that concern us when the report is issued. Also, if the TIS's results show that the VMT impact is significant, kindly propose VMT mitigation measures and document them.

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any questions regarding these comments or require additional information, please contact Satwinder Dhatt, Local Development Review Coordinator, by phone (530) 821-8261 or via email at satwinder.dhatt@dot.ca.gov.

Sincerely,



GARY ARNOLD, Branch Chief

Local Development Review, Equity and Complete Streets
Division of Planning, Local Assistance, and Sustainability
California Department of Transportation, District 3



NOVEMBER 28, 2023

VIA EMAIL: SMETZKER@CITYOFDAVIS.ORG

CITY OF DAVIS

DEPARTMENT OF COMMUNITY DEVELOPMENT AND SUSTAINABILITY

SHERRI METZKER

23 RUSSELL BOULEVARD, SUITE 2

DAVIS, CA 95616

Dear Ms. Metzker:

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE VILLAGE FARMS DAVIS PROJECT, SCH# 2023110006

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Village Farms Davis Project (Project).

The Division monitors and maps farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. Public Resources Code, section 614, subdivision (b) authorizes the Department to provide soil conservation advisory services to local governments, including review of CEQA documents.

Protection of the state's agricultural land resources is part of the Department's mission and central to many of its programs. The CEQA process gives the Department an opportunity to acknowledge the value of the resource, identify areas of Department interest, and offer information on how to assess potential impacts or mitigation opportunities.

The Department respects local decision-making by informing the CEQA process, and is not taking a position or providing legal or policy interpretation.

We offer the following comments for consideration with respect to the project's potential impacts on agricultural land and resources within the Department's purview.

PROJECT ATTRIBUTES

In general, the proposed project would consist of a mixed-use development community, including a total of 1,800 dwelling units, comprised of both affordable and market-rate single- and multi-family residences, across various residential neighborhoods. In addition, the proposed project would include neighborhood services; public, semi-public, and educational uses; associated on-site roadway

improvements; utility improvements; parks, open space, and greenbelts; and off-site improvements. The project site contains Prime Farmland, Farmland of Statewide Importance, and Unique Farmland as designated by DOC's Farmland Mapping and Monitoring Program.

PROJECT CONSIDERATIONS

The conversion of agricultural land represents a permanent reduction and impact to California's agricultural land resources. The Department generally advises discussion of the following in any environmental review for the loss or conversion of agricultural land:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Proposed mitigation measures for impacted agricultural lands within the proposed project area.

MITIGATING AGRICULTURAL LAND LOSS OR CONVERSION

Consistent with CEQA Guidelines, the Department advises that the environmental review address mitigation for the loss or conversion of agricultural land. An agricultural conservation easement is one potential method for mitigating loss or conversion of agricultural land. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."]; see also *King and Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814.)

Mitigation through agricultural conservation easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land may be viewed as an impact of at least regional significance. Hence, the search for replacement lands may not need to be limited strictly to lands within the project's surrounding area. A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

[California Council of Land Trusts](#)

Of course, the use of conservation easements is only one form of mitigation, and the Department urges consideration of any other feasible measures necessary to mitigate project impacts.

Thank you for giving us the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report for the Village Farms Davis Project. Please provide the Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Monique Wilber".

Monique Wilber
Conservation Program Support Supervisor



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
(916) 358-2900
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 28, 2023

Sherri Metzker
City of Davis Department of Community Development and Sustainability
23 Russell Boulevard, Suite 2
Davis, CA 95616
smetzker@cityofdavis.org

Subject: VILLAGE FARMS DAVIS PROJECT
NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT
REPORT (DEIR)
SCH No. 2023110006

Dear Sherri Metzker:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Preparation of an Environmental Impact Report (EIR) from the City of Davis Department of Community Development and Sustainability for the Village Farms Davis Project (Project) in Yolo County pursuant the California Environmental Quality Act (CEQA) statute and guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, plants and their habitats. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code (Fish & G. Code).

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802.). Similarly, for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Village Farms Davis Project

November 28, 2023

Page 2 of 14

review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project site is located North of East Covell Boulevard, East of F Street, and West of Pole Line Road, Davis, CA 95616.

The Project consists of a mixed-use development community, including a total of 1,800 dwelling units, comprised of both affordable and market-rate single- and multi-family residences, across various residential neighborhoods. In addition, the proposed project would include neighborhood services; public, semi-public, and educational uses; associated on-site roadway improvements; utility improvements; parks, open space, and greenbelts; and off-site improvements.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations presented below to assist the City of Davis Department of Community Development and Sustainability in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on the proposed Project with respect to impacts on biological resources. CDFW recommends that the forthcoming EIR address the following:

Project Description

The Project description should include the whole action as defined in the CEQA Guidelines § 15378 and should include appropriate detailed exhibits disclosing the Project area including temporary impacted areas such as equipment stage area, spoils areas, adjacent infrastructure development, staging areas and access and haul roads if applicable.

As required by § 15126.6 of the CEQA Guidelines, the EIR should include an appropriate range of reasonable and feasible alternatives that would attain most of the

Village Farms Davis Project

November 28, 2023

Page 3 of 14

basic Project objectives and avoid or minimize significant impacts to resources under CDFW's jurisdiction.

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the Project, the EIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats. CDFW recommends the EIR specifically include:

1. An assessment of all habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following, *The Manual of California Vegetation*, second edition (Sawyer 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project. CDFW recommends that the California Natural Diversity Database (CNDDDB), as well as previous studies performed in the area, be consulted to assess the potential presence of sensitive species and habitats. A nine United States Geologic Survey 7.5-minute quadrangle search is recommended to determine what may occur in the region, larger if the Project area extends past one quad (see *Data Use Guidelines* on the Department webpage www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data). Please review the webpage for information on how to access the database to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the Project. CDFW recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the Project site. Other sources for identification of species and habitats near or adjacent to the Project area should include, but may not be limited to, State and federal resource agency lists, California Wildlife

Village Farms Davis Project

November 28, 2023

Page 4 of 14

Habitat Relationship System, California Native Plant Society Inventory, agency contacts, environmental documents for other projects in the vicinity, academics, and professional or scientific organizations.

3. A complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code § § 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. The EIR should include the results of focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. Species-specific surveys should be conducted in order to ascertain the presence of species with the potential to be directly, indirectly, on or within a reasonable distance of the Project activities. CDFW recommends the City of Davis Department of Community Development and Sustainability rely on survey and monitoring protocols and guidelines available at: www.wildlife.ca.gov/Conservation/Survey-Protocols. Alternative survey protocols may be warranted; justification should be provided to substantiate why an alternative protocol is necessary. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Some aspects of the Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought or deluge.
4. A thorough, recent (within the last two years), floristic-based assessment of special-status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see www.wildlife.ca.gov/Conservation/Plants).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The EIR should provide a thorough discussion of the Project's potential direct, indirect, and cumulative impacts on biological resources. To ensure that Project impacts on biological resources are fully analyzed, the following information should be included in the EIR:

Village Farms Davis Project

November 28, 2023

Page 5 of 14

1. The EIR should define the threshold of significance for each impact and describe the criteria used to determine whether the impacts are significant (CEQA Guidelines, § 15064, subd. (f)). The EIR must demonstrate that the significant environmental impacts of the Project were adequately investigated and discussed and it must permit the significant effects of the Project to be considered in the full environmental context.
2. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by Project activities especially those adjacent to natural areas, exotic and/or invasive species occurrences, and drainages. The EIR should address Project-related changes to drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
3. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as nearby public lands (e.g., National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Conservation or Recovery Plan, or other conserved lands).
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The EIR should discuss the Project's cumulative impacts to natural resources and determine if that contribution would result in a significant impact. The EIR should include a list of present, past, and probable future projects producing related impacts to biological resources or shall include a summary of the projections contained in an adopted local, regional, or statewide plan, that consider conditions contributing to a cumulative effect. The cumulative analysis shall include impact analysis of vegetation and habitat reductions within the area and their potential cumulative effects. Please include all potential direct and indirect Project-related impacts to riparian areas, wetlands, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and/or special-status species, open space, and adjacent natural habitats in the cumulative effects analysis.

Mitigation Measures for Project Impacts to Biological Resources

The EIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the construction and long-term operation and maintenance of the Project. CDFW also recommends the environmental documentation provide scientifically supported discussion regarding adequate avoidance, minimization, and/or mitigation measures to address the Project's significant impacts upon fish and wildlife and their habitat. For individual projects, mitigation must be roughly proportional to the

Village Farms Davis Project

November 28, 2023

Page 6 of 14

level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (Guidelines § § 15126.4(a)(4)(B), 15064, 15065, and 16355). In order for mitigation measures to be effective, they must be specific, enforceable, and feasible actions that will improve environmental conditions. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Several Fully Protected Species (Fish & G. Code §§ 3511 and 4700) have the potential to occur within or adjacent to the Project area, including, but not limited to: white-tailed kite (*Elanus leucurus*), bald eagle (*Haliaeetus leucocephalus*), California black rail (*Laterallus jamaicensis coturniculus*), and northern California ringtail (*Bassariscus astutus*). Project activities described in the EIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. If fully protected species cannot be completely avoided, the Project should obtain incidental take coverage for all species that have the potential to be present within or adjacent to the Project Area². CDFW also recommends the EIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the City of Davis Department of Community Development and Sustainability
2. *Species of Special Concern*: Several Species of Special Concern (SSC) have the potential to occur within or adjacent to the Project area, including, but not limited to: western spadefoot (*Spea hammondi*), northern harrier (*Circus hudsonius*), least bittern (*Ixobrychus exilis*), mountain plover (*Charadrius montanus*), purple martin (*Progne subis*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), yellow-breasted chat (*Icteria virens*), loggerhead shrike (*Lanius ludovicianus*), yellow warbler (*Setophaga petechia*), grasshopper sparrow (*Ammodramus savannarum*), song sparrow (*Melospiza melodia* pop. 1), Oregon vesper sparrow (*Pooecetes gramineus affinis*), burrowing owl (*Athene cunicularia*), American badger (*Taxidea taxus*), pallid bat (*Antrozous pallidus*), and western red bat (*Lasiurus frantzii*). Project activities described in the EIR should be designed to avoid any SSC that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the EIR fully analyze potential adverse impacts to SSC due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends the City of Davis Department of Community Development and Sustainability include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce impacts to SSC.

² CDFW may only issue incidental take permits for specified projects if certain conditions are satisfied per SB 147.

Village Farms Davis Project

November 28, 2023

Page 7 of 14

3. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer 2009). The EIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.
4. *Native Wildlife Nursery Sites*: CDFW recommends the EIR fully analyze potential adverse impacts to native wildlife nursery sites, including but not limited to bat maternity roosts. Based on review of Project materials, aerial photography, and observation of the site from public roadways, the Project site contains potential nursery site habitat for structure and tree roosting bats and is near potential foraging habitat. Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment, (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). CDFW recommends that the EIR fully identify the Project's potential impacts to native wildlife nursery sites, and include appropriate avoidance, minimization, and mitigation measures to reduce impacts or mitigate any potential significant impacts to bat nursery sites.
5. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the EIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, onsite habitat restoration, enhancement, or permanent protection should be evaluated and discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

The EIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

6. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in the regional ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate

Village Farms Davis Project

November 28, 2023

Page 8 of 14

reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be appropriately timed to ensure the viability of the seeds when planted. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various Project components as appropriate. Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project. Examples may include retention of woody material, logs, snags, rocks, and brush piles. Fish and Game Code sections 1002, 1002.5 and 1003 authorize CDFW to issue permits for the take or possession of plants and wildlife for scientific, educational, and propagation purposes. Please see our website for more information on Scientific Collecting Permits at www.wildlife.ca.gov/Licensing/Scientific-Collecting#53949678-regulations-.

7. *Nesting Birds*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). CDFW implemented the MBTA by adopting the Fish and Game Code section 3513. Fish and Game Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests and eggs. Sections 3503, 3503.5, and 3513 of the Fish and Game Code afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto; section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto; and section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Village Farms Davis Project

November 28, 2023

Page 9 of 14

Potential habitat for nesting birds and birds of prey is present within the Project area. The Project should disclose all potential activities that may incur a direct or indirect take to nongame nesting birds within the Project footprint and its vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the EIR.

CDFW recommends the EIR include specific avoidance and minimization measures to ensure that impacts to nesting birds or their nests do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: Project phasing and timing, monitoring of Project-related noise (where applicable), sound walls, and buffers, where appropriate. The EIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. In addition to larger, protocol level survey efforts (e.g., Swainson's hawk surveys) and scientific assessments, CDFW recommends a final preconstruction survey be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted earlier.

8. *Moving out of Harm's Way*: The Project is anticipated to result in the clearing of natural habitats that support native species. To avoid direct mortality, the City of Davis Department of Community Development and Sustainability should state in the EIR a requirement for a qualified biologist with the proper handling permits, will be retained to be onsite prior to and during all ground- and habitat-disturbing activities. Furthermore, the EIR should describe that the qualified biologist with the proper permits may move out of harm's way special-status species or other wildlife of low or limited mobility that would otherwise be injured or killed from Project-related activities, as needed. The EIR should also describe qualified biologist qualifications and authorities to stop work to prevent direct mortality of special-status species. CDFW recommends fish and wildlife species be allowed to move out of harm's way on their own volition, if possible, and to assist their relocation as a last resort. It should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for habitat loss.
9. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as the sole mitigation for impacts to rare, threatened, or endangered species as these efforts are generally experimental in nature and largely unsuccessful. Therefore, the EIR should describe additional mitigation measures utilizing habitat restoration, conservation, and/or preservation, in addition to avoidance and minimization measures, if it is determined that there may be impacts to rare, threatened, or endangered species.

The EIR should incorporate mitigation performance standards that would ensure that impacts are reduced to a less-than-significant level. Mitigation measures proposed in the EIR should be made a condition of approval of the Project. Please note that obtaining a permit from CDFW by itself with no other mitigation proposal may constitute mitigation

Village Farms Davis Project

November 28, 2023

Page 10 of 14

deferral. CEQA Guidelines section 15126.4, subdivision (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. To avoid deferring mitigation in this way, the EIR should describe avoidance, minimization and mitigation measures that would be implemented should the impact occur.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (Fish & G. Code § 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the Project.

State-listed species with the potential to occur in the area include, but are not limited to: California tiger salamander - central California DPS (*Ambystoma californiense* pop. 1), Swainson’s hawk (*Buteo swainsoni*), bald eagle (*Haliaeetus leucocephalus*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), bank swallow (*Riparia riparia*), tricolored blackbird (*Agelaius tricolor*), California black rail (*Laterallus jamaicensis coturniculus*), least Bell’s vireo (*Vireo bellii pusillus*), giant garter snake (*Thamnophis gigas*), palmate-bracted birds-beak (*Chloropyron palmatum*), Kecks checkerbloom (*Sidalcea keckii*), Colusa grass (*Neostapfia colusana*), and Cramptons tuctoria or Solano grass (*Tuctoria mucronate*).

The EIR should disclose the potential of the Project to take State-listed species and how the impacts will be avoided, minimized, and mitigated. Please note that mitigation measures that are adequate to reduce impacts to a less-than significant level to meet CEQA requirements may not be enough for the issuance of an ITP. To facilitate the issuance of an ITP, if applicable, CDFW recommends the EIR include measures to minimize and fully mitigate the impacts to any State-listed species the Project has potential to take. CDFW encourages early consultation with staff to determine appropriate measures to facilitate future permitting processes and to engage with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service to coordinate specific measures if both State and federally listed species may be present within the Project vicinity.

Native Plant Protection Act

The Native Plant Protection Act (Fish & G. Code §1900 *et seq.*) prohibits the take or possession of State-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW or in certain limited circumstances. Take of State-listed rare and/or endangered plants due to Project activities may only be permitted through an ITP or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, section 786.9 subdivision (b).

Village Farms Davis Project

November 28, 2023

Page 11 of 14

Lake and Streambed Alteration Program

The EIR should identify all perennial, intermittent, and ephemeral rivers, streams, lakes, other hydrologically connected aquatic features, and any associated biological resources/habitats present within the entire Project footprint (including utilities, access and staging areas). The environmental document should analyze all potential temporary, permanent, direct, indirect and/or cumulative impacts to the above-mentioned features and associated biological resources/habitats that may occur because of the Project. If it is determined the Project will result in significant impacts to these resources the EIR shall propose appropriate avoidance, minimization and/or mitigation measures to reduce impacts to a less-than-significant level.

Section 1602 of the Fish and Game Code requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following:

1. Substantially divert or obstruct the natural flow of any river, stream or lake;
2. Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
3. Deposit debris, waste or other materials where it may pass into any river, stream or lake.

Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

If upon review of an entity's notification, CDFW determines that the Project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration (LSA) Agreement will be issued which will include reasonable measures necessary to protect the resource. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if one is necessary, the EIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the Project may avoid or reduce impacts to fish and wildlife resources. Notifications for projects involving (1) sand, gravel or rock extraction, (2) timber harvesting operations, or (3) routine maintenance operations must be submitted using paper notification forms. All other LSA Notification types must be submitted online through CDFW's Environmental Permit Information Management System (EPIMS). For more information about EPIMS, please visit <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>. More information about LSA Notifications, paper forms and fees may be found at <https://www.wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

Village Farms Davis Project

November 28, 2023

Page 12 of 14

Please note that other agencies may use specific methods and definitions to determine impacts to areas subject to their authorities. These methods and definitions often do not include all needed information for CDFW to determine the extent of fish and wildlife resources affected by activities subject to Notification under Fish and Game Code section 1602. Therefore, CDFW does not recommend relying solely on methods developed specifically for delineating areas subject to other agencies' jurisdiction (such as United States Army Corps of Engineers) when mapping lakes, streams, wetlands, floodplains, riparian areas, etc. in preparation for submitting a Notification of an LSA.

CDFW relies on the lead agency environmental document analysis when acting as a responsible agency issuing an LSA Agreement. CDFW recommends lead agencies coordinate with us as early as possible, since potential modification of the proposed Project may avoid or reduce impacts to fish and wildlife resources and expedite the Project approval process.

The following information will be required for the processing of an LSA Notification and CDFW recommends incorporating this information into any forthcoming CEQA document(s) to avoid subsequent documentation and Project delays:

1. Mapping and quantification of lakes, streams, and associated fish and wildlife habitat (e.g., riparian habitat, freshwater wetlands, etc.) that will be temporarily and/or permanently impacted by the Project, including impacts from access and staging areas. Please include an estimate of impact to each habitat type.
2. Discussion of specific avoidance, minimization, and mitigation measures to reduce Project impacts to fish and wildlife resources to a less-than-significant level. Please refer to section 15370 of the CEQA Guidelines.

Based on review of Project materials, aerial photography and observation of the site from public roadways, the Project site supports vernal pool habitat. CDFW recommends the EIR fully identify the Project's potential impacts to the associated vegetation, vernal pools, and seasonal wetlands.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

Village Farms Davis Project

November 28, 2023

Page 13 of 14

FILING FEES

The Project, as proposed, would have an effect on fish and wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code § 711.4; Pub. Resources Code, § 21089.)

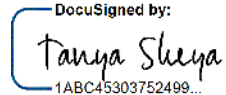
CONCLUSION

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the Project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the Notice of Preparation of the EIR for the Village Farms Davis Project and recommends that the City of Davis Department of Community Development and Sustainability address CDFW's comments and concerns in the forthcoming EIR. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

If you have any questions regarding the comments provided in this letter or wish to schedule a meeting and/or site visit, please contact Alexander Funk, Environmental Scientist at (916) 817-0434 or alexander.funk@wildlife.ca.gov.

Sincerely,

DocuSigned by:

1ABC45303752499...

Tanya Sheya
Environmental Program Manager

ec: Morgan Kilgour, Regional Manager
morgan.kilgour@wildlife.ca.gov
Ian Boyd, Senior Environmental Scientist (Supervisory)
ian.boyd@wildlife.ca.gov
Alexander Funk, Environmental Scientist
alexander.funk@wildlife.ca.gov
Department of Fish and Wildlife

Office of Planning and Research, State Clearinghouse, Sacramento

Village Farms Davis Project

November 28, 2023

Page 14 of 14

REFERENCES

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A Manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California.
<http://vegetation.cnps.org/>



Central Valley Regional Water Quality Control Board

7 December 2023

Sherri Metzker
City of Davis
23 Russell Boulevard
Davis, CA 95616
smetzker@cityofdavis.org

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, VILLAGE FARMS DAVIS PROJECT, SCH#2023110006, YOLO COUNTY

Pursuant to the State Clearinghouse's 1 November 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environmental Impact Report* for the Village Farms Davis Project, located in Yolo County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by

the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel

Peter Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

Lisa Dominguez

From: Sherri Metzker
Sent: Friday, December 8, 2023 10:44 AM
To: Dara Dungworth
Subject: FW: Add Study of Flood Risks being in a 100 yr. Floodplain

From: Susan Rainier <susan.rainier1@gmail.com>
Sent: Friday, December 8, 2023 10:05 AM
To: Sherri Metzker <SMetzker@cityofdavis.org>
Subject: Fwd: Add Study of Flood Risks being in a 100 yr. Floodplain

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Hello Sherri,

I sent this to Yolano Sierra Club Group for their submission, yet I have not heard back from them for confirmation.

Here is the short version: : Study the risks of massive development on a 100 year floodplain - even greater now with the seen climate disruption in the United States

Please see below

Best wishes,
Susan

SUSAN RAINIER, AIA
Activist Architect - Ecocide Law,
Conscientious Protector, Eco Feminist
Living Future Accredited,
LEED AP BD+C
530-902-9447

*Learn How to See. Everything is Connected to Everything Else.
Leonardo Da Vinci*

*Let Heaven Kiss Earth.
William Shakespeare*

*Like Water, Women are also the Source from which all Life Flows.
Artemis*

A N G E L E A G L E C O N S U L T
New Thought Leader
Sun Wind Earth Water
P O S I T I V E E N E R G Y

Living Buildings and Communities
Resilient Urban Planning & Design
Passive House and Small House Design
Speaker - Writer

To Fit The Most Excellent Action To The Demand Of The Moment
As One's Highest Obligation To One's Self

----- Forwarded message -----

From: Susan Rainier <susan.rainier1@gmail.com>

Date: Fri, Dec 8, 2023 at 9:37 AM

Subject: Add Study of Flood Risks being in a 100 yr. Floodplain

To: Alan Pryor <alanpryor21@gmail.com>, Bob Schneider <verve2006@comcast.net>, Pam Nieberg <pnieberg@dcn.org>, Catherine Portman <cportman@gmail.com>, Jim Barrett <jtbarrett48@icloud.com>, Juliette Beck <juliettebuxtonbeck@gmail.com>, Adelita Serena <adelita.serena@sierraclub.org>, Eileen M. Samitz <emsamitz@dcn.davis.ca.us>, cc: Rick Huebeck <rick412@omsoft.com>, Jim Cramer <cramerjc@gmail.com>, NJ Mvondo <njmvondo@gmail.com>, Kees Hood <keeswhood@gmail.com>, Elizabeth Reay <ereay58@outlook.com>, Ron Oertel <roertel@msn.com>

Cc: Rick Huebeck <rick412@omsoft.com>, Nancy Price <nancytprice39@gmail.com>

Hi Everyone,

First, I wanted to thank the Board for taking public comment on this very impost issue on comments to consider for the Village Farms NOP.

Second, I wanted to say that what I was trying to articulate last night is the following important issue to

Please include in the NOP comments:

"The City of Davis should not be building projects on large flood plains, like the 200-acre 100-year flood plain on the 390-acre Village Farms site which comprises more than half of the project land."

Why?

It is bad planning which, due to climate change, massive flooding is becoming a more frequent event.

Further, California State has passed legislation which makes clear that cities foolish enough to build on

a large floodplain will no longer get bailed out financially by the State of California., So we cannot afford

to have another Natomas flooding. Or what happened in Davis years ago when the flood control

for Mace Ranch was inadequately planned by the engineers. As a result, Mace Ranch flood water was

deflected to Howat Ranch just north-east of Davis. The consequence was that the City of Davis had to

purchase Howatt Ranch because the City knew that it could not win the lawsuit when the City was sued

by the Howatt Ranch owners.

There are multiple references on why building on large floodplains is a terrible idea. There are far more occurrences now of flooding due to climate change and consequences to not only humans , but to

habitat. Here are some of these references:

"When floodplains are filled or paved over, they are no longer able to absorb water, which means excess water has nowhere to go, causing floods. Additionally, "fill and build" creates pockets of land that are at higher elevations, which creates runoff that can flood lower-elevation properties." ***This means that other zones in the Davis community will become at greater risk of flood waters reaching their properties.***

Is It Safe to Build on a Floodplain?

Building on a floodplain is not expressly unsafe, but it is less safe than building in an area above a BFE. That's because the 100 year floodplain come with a [1 percent chance of flooding in any given year](#) and a 26 percent chance of flooding at least once in a 30-year period. The bottom line is that building in an SFHA puts properties at risk of flooding.

Despite the flood risk, building on a floodplain can be appealing for developers because homes near water are desirable and land in a floodplain tends to be more affordable than land on high ground. It provides the property owner with the ability to buy low and sell high.

Most federal and state laws allow construction in floodplains if buildings are raised above the base flood elevation. To meet these requirements, [many contractors use the "fill and build" method](#) of filling the low-elevation land with dirt and then building on top. This practice allows homebuilders to meet construction requirements, but it can also cause problems.

The low-elevation floodplains surrounding a river serve an important purpose: they absorb excess water. When floodplains are filled or paved over, they are no longer able to absorb water, which means excess water has nowhere to go, causing floods. Additionally, "fill and build" creates pockets of land that are at higher elevations, which creates runoff that can flood lower-elevation properties.

Before building on a floodplain, prospective homeowners may also want to consider the cost of flood insurance.

Proof that Studying the Risks building in FloodPlains is VALID:

<https://www.governing.com/archive/gov-flood-zone-floodplain-development-homes-zoning.html>

"Many vulnerable areas of the country are seeing significant residential and commercial development despite the long-term flood risks. *Governing* [analyzed](#) the latest U.S. Census Bureau survey data using a methodology from the New York University Furman Center to estimate the population living in FEMA-designated 100-year floodplains. Nationally, the number of Americans living in these high-risk areas in 2016 climbed 14 percent compared to those living in the same neighborhoods in 2000. That's actually faster than in areas outside of flood zones, where the population increased 13 percent. "The nation is spending billions every year to move people into flood-prone areas and keep people living in flood-prone areas," says Rob Moore of the Natural Resources Defense Council. "We've gotten exactly what we paid for."

Comment from a Building Inspector: The answer is simple: the plain is prone to flooding. That's why they call it a flood plain. I have inspected homes in flood plains and

let me tell you, you can't get away from the dank odor anywhere in that home. There is massive evidence of structural decay from becoming wet and staying wet.

<https://islandpress.org/blog/fill-build-and-flood-dangerous-development-flood-prone-areas>

<https://www.usgs.gov/special-topics/water-science-school/science/100-year-flood#:~:text=The%20term%20%22100%2Dyear%20flood%22%20is%20used%20to%20describe,year%20is%201%20in%20100.>

Sierra Club's Water Policy:

<https://www.sierraclub.org/policy/water-policy#:~:text=Structural%20devices%20should%20not%20be,floodplains%20must%20also%20be%20protected.&text=In%20each%20state%20and%20province,basic%20human%20and%20environmental%20requirements.>

Floodplains

In flood protection, emphasis should be placed not on structural controls, but on floodplain management, including floodproofing and relocation of existing structures as appropriate, and zoning for compatible uses to control future development. To maximize environmental benefits, floodplains should be utilized for wetlands, agriculture, parks, greenbelts, groundwater recharge, buffer zones for protection of instream uses, and other uses compatible with the flood hazard. Structural devices should not be used where they would encourage development in floodplains. Coastal floodplains must also be protected.

Priorities

In each state and province, priorities for different water uses should be written into law, to protect basic human and environmental requirements. The priority rankings may vary regionally."

Please add my comment for studying the risks of massive development on a 100 year floodplain - even greater now with the seen climate disruption in the United States

(I would like a confirmation email that this comment has been added. Thank you for your attention to this matter.

Best wishes,
Susan

SUSAN RAINIER, AIA
Activist Architect - Ecocide Law,
Conscientious Protector, Eco Feminist
Living Future Accredited,
LEED AP BD+C
530-902-9447

*Learn How to See. Everything is Connected to Everything Else.
Leonardo Da Vinci*

*Let Heaven Kiss Earth.
William Shakespeare*

*Like Water, Women are also the Source from which all Life Flows.
Artemis*

A N G E L E A G L E C O N S U L T
New Thought Leader
Sun Wind Earth Water
P O S I T I V E E N E R G Y

Living Buildings and Communities
Resilient Urban Planning & Design
Passive House and Small House Design
Speaker - Writer

To Fit The Most Excellent Action To The Demand Of The Moment
As One's Highest Obligation To One's Self

Lisa Dominguez

From: Sherri Metzker
Sent: Friday, December 8, 2023 9:56 AM
To: Dara Dungworth
Subject: FW: Village Farms NOP

From: Ron O <roertel@msn.com>
Sent: Friday, December 8, 2023 9:51 AM
To: Sherri Metzker <SMetzker@cityofdavis.org>
Subject: Village Farms NOP

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Please ensure that the EIR examines traffic from all proposed developments in the area (including those which aren't necessarily within city limits).

This would include all of the other peripheral proposals, but also infill, etc.

If possible, please include traffic impacts from planned developments in nearby surrounding cities, as well (e.g., the Woodland technology park and its 1,600 housing units). These developments will also contribute to traffic around the Village Farm site.

Sincerely,
Ron Oertel

Lisa Dominguez

From: Rena Nayyar <renanayyar@hotmail.com>
Sent: Thursday, December 7, 2023 10:23 PM
To: Sherri Metzker; Dara Dungworth; City Council Members
Subject: Village Farms comments

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I oppose the Village Farms development as proposed and urge you to make changes. I am especially concerned about the environmental impacts of such a large project. Significantly the vernal pool area that was disked needs to be off limits to development and restored at developer expense. The past Covell Village EIR, I believe, said vernal pools would be protected if feasible. So clearly the developer doesn't care about the vernal pools despite their ecological significance. I hear the same developer disked burrowing owl habitat as that area was proposed for development. There need to be clarification, serious consequences, and follow up on this.

We have not used existing development wisely to meet local housing need. I do not believe the city has held the university accountable for enough housing on campus, but this would free up development sites and existing housing in town for everyone. Examples: The apartments by the post office are far from the university but are geared to only students. University Mall should have had some housing. It is a waste of land and resources to replace a single story shopping center with just another single story shopping center. The proposal has too large a section of "McMansions" which is too low density and doesn't meet local needs. This is part of a cycle we need to end. We get more tax income for Davis and profit for developer but not needed housing so we build more. It's too expensive or geared for students instead of meeting local needs again so even more housing is built- on and on.

How does our rate of development fit into regional demand and growth -Not everyone can realistically live here. We also need a new long term vision so we don't grow into Woodland and use land efficiently to have development options to meet future need.

There are questions to resolve before embarking on any large development.

-What is the estimated minimum price of a house so that the taxes will break even for the city in terms of new infrastructure needed? vs. How much will the houses in the various parts of the development cost? And how do these prices compare with the affordability needs of various groups such as low income, seniors downsizing, people who work here and can't afford to live here? Of course each person is different, but we need to do some kind of survey to assess our local current demand and financial needs vs what the developer is proposing. Housing that doesn't pay for itself needs to be subsidized -by whom?

Please ask for a revision of this project and delay the timeline before proceeding. Please dramatically reduce the footprint to south of the vernal pools. We need to have separate smaller development proposals so we as a community can monitor for more current effects and needs before developing further. We already have development happening in West Davis and proposed developments downtown. Traffic is already unworkable - our streets and downtown aren't built for this, and we are far from giving up cars it seems. The environmental and fossil fuel issues need to be addressed. I don't think we can do this development as is and meet our Climate Action and Adaptability Plan.

Davis deserves better. Please add my email to your notifications list so I can stay informed on this important issue.

Thank you,

Rena Nayar, Davis

Lisa Dominguez

From: Sherri Metzker
Sent: Thursday, December 7, 2023 7:27 AM
To: Dara Dungworth
Subject: Fwd: Additional comments on Village Farms (Project Description and Additional Environmental Information documents)

Categories: Staff Follow Up

----- Forwarded message -----

From: Mike Lehner <mikelehner@gmail.com>
Date: Dec 6, 2023 5:44 PM
Subject: Additional comments on Village Farms (Project Description and Additional Environmental Information documents)
To: Sherri Metzker <SMetzker@cityofdavis.org>
Cc: Donna Neville <DNEville@cityofdavis.org>

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Hi Sherri,

Below are some comments/observations I have on the Village Farms documents (the Project Description and the Additional Environmental Information documents). It sounds like you and your staff have already identified some or most of these items, but I wanted to reinforce that these are concerns for residents. If you or Donna are interested in talking through my concerns (such as the relatively complex "Developer Contribution Program"), I would be happy to discuss.

Thanks,
Mike Lehner

1. 62% of the residential development acreage is proposed as "Residential-Low Density" (157.4 of 254 acres) and single family/duplexes. Only 10% of the residential development acreage is proposed as "Residential-High Density." Only 3-6 units per acre duplicates El Macero's sprawling estates in South Davis. This is not a vision for affordable housing, nor is it the vision of a sustainable future for Davis. How much agricultural land would need to be paved over to provide sufficient housing in Davis if we allow 1/3-acre lots in all our future development? A modern development plan for the City of Davis would not include any 1/3-acre lots – this super-low density is reminiscent of 1960 Sacramento development, not 2020s Davis development. A better benchmark and example would be the maximum of 1/8 to 1/6 acre lots in The Cannery.
2. While the Village Farms development proposes to provide 87% of the City's RHNA allocation (page 4/52 of the Project Description document), only 16% of its total housing is affordable which provides only 33% of the affordable housing required by the RHNA (page 6/52 of the Project Description document). This development proposes maximizing market rate housing while doing the bare minimum on affordable housing. Davis can do better.
3. The developer falsely claims in Objective 2. Starter Homes for the Davis Workforce (page 6/52 of the Project Description document), that its "Developer Contribution Program" (DCP) is "akin to affordable housing in-lieu fees." It is not, because the DCP only requires the home be owner-occupied for 2

years. After that, the owner can sell the home at market rate and that home permanently loses its status as affordable. Affordable housing in-lieu fees, while insufficient to fully cover the cost of building an affordable unit, result in permanently available affordable housing. “Affordable housing” for two years helps with nothing and is a worthless benefit proposed by the developer. The developer is proposing to help INCREASE the cost of housing by artificially subsidizing the first units developed by the project so that property value comparisons (“comps”) are inflated for the market rate units that are developed later. By subsidizing the down payment, the developer is able to reap the benefits of 5x leverage (based on the typical 80% loan-to-value ratio) for the down payment-constrained buyers the developer is targeting. The suggested “Project Individualized Affordable Housing Program” will only help those buyers lucky enough to get in first and will penalize the greater number of buyers later in the project.

4. The location of the proposed Green Acres Educational Farm is isolated from the pre-existing Urban Farm at The Cannery, which is an underutilized/undereffective City Resource. Recommend either 1) relocating the Green Acres Educational Farm so it is adjacent and complementary to The Cannery’s Urban Farm or 2) delete the Green Acres Educational Farm in favor of having the Village Farms developer support activities/soil amendment at the Cannery Urban Farm and developing affordable housing on commensurate acres as the Educational Farm.
5. The Pole Line Road corridor is a missed opportunity for high density housing. The width of Pole Line and the grass buffers from the apartments/townhouses to the east eliminates any potential concerns about overbearing apartments peering down into their backyards. Central Village and Parkside Village East include townhomes while East Village is single-family and duplexes. This should be 3-4 story multi-family along this busy corridor (or more, such as at Cowell). The condominiums and stacked flats envisioned for Parkside Village West should be moved along this corridor and greatly expanded in number. Condos and apartments are critical for the “missing middle” of housing, when complemented with townhomes and duplexes.
6. Neighborhood retail has proven impossible to build for almost 10 years at The Cannery Village Marketplace, due to market forces and City Council decisions. The proposed Neighborhood Commercial Services area (located at the very northern periphery of the City of Davis) should be deleted (or relocated in such a way as to encourage final build-out of The Cannery Village Marketplace. A less ideal option Council and staff could also consider swapping the commercial services with the proposed daycare as a daycare is already built at The Cannery.
7. Objective 12. Circulation System (page 8/52 of the Project Description document) is vague about promises for grade-separated crossings. Especially the crossing over the railroad tracks to F street, is a critical component for neighborhood connectivity (the light between the development and Nugget Fields/Wildhorse makes that grade-separated crossing a nice-to-have, but not essential).
8. Land Use Categories (page 15/52 of the Project Description document) states that the Director of Community Development can approve/modify the size or location of a proposed use. This is an extravagant and unnecessary grant of City Council or resident voter authority. There need to be tighter limitations established for this variance authority or elevated approval limits established for its use.
9. The Flood Prevention partnership (page 5/52 of the Project Description document) is vague and needs tangible commitments and greater accountability for this to be considered of any public benefit (“Working in concert with Public Works, Village Farms Davis hopes to find ways to reduce costs for the City while preparing for future climate change impacts.”).
10. The Climate Change: Managing Local Flood Risks to Improve Aquifer Health partnership (page 5/52 of the Project Description document) does not clarify how this stormwater-groundwater recharge will be funded and maintained for long-term operations.
11. For “Objective 3. Increase Housing Supply & Diversity” (page 6/52 of the Project Description document), the developer states that market rate lots are available to local builders/individuals. This outsourcing of actual construction responsibility significantly reduces the City’s ability to enforce requirements and preferences (note the lack of construction at The Cannery Village Marketplace). What does the developer mean by “made available to local builders”? Will those lots be “restricted” to local builders? Who is considered “local”? All of the words in Objective 3 mean absolutely nothing.

12. Objective 4. Public Schools Stability, Educational Farm Land Dedication (page 6/52 of the Project Description document) duplicates what the City already has at The Cannery Urban Farm. This creates an additional liability/expense for the City that should be deleted. Who would do, and pay, to “teach agricultural values and methods”? UC Davis already performs these functions for DJUSD and the community.
13. Objective 5. Public Services Improvement for Community Benefit (page 7/52 of the Project Description document), offers a venue for Community Events. The City already has multiple indoor and outdoor venues for community events, including Community Park, Central Park, Veteran’s Memorial Center, City Hall, the Farm House and the Barn at The Cannery, DJUSD school multipurpose rooms, and the additional parks proposed by this project. I’m not aware of a need for an additional venue for community events.
14. Objective 11. Parks & Recreation (page 8/52 of the Project Description document), suggests a 28-acre park at the corner of Covell and Pole Line, that is 4x the size of Central Park. This is a massive future liability for the City to continue to maintain. There is not demand for such a large park, especially given the surrounding population density, and will be cost-prohibitive from an operations and maintenance perspective given the City’s already limited resources. This duplicates Community Park, which is only 1/3 of a mile away and sufficiently large park that successfully hosts special events and celebrations. This park and public amenities should be downsized with the objective of increasing the quantity of affordable housing produced by the project or providing other public benefits such as ped bike crossings over the railroad tracks.
15. Non-Residential Uses – Public Day Care/School (page 15/52 of the Project Description document). Has this been vetted and endorsed by DJUSD? We recommend no further consideration of this proposal unless DJUSD identifies a specific needs for this resource and includes consideration of its impact on the potential for school impact fees on the project developer or future owners.
16. Market-Rate Homes (all homes other than 300 affordable and 310 starters) (page 18/52 of the Project Description document) will not be built by the developer. “The Applicant will sell lots for market rate homes to small builders and individuals who desire the flexibility to design and contract the construction of their homes. Initially, lots will be offered in a lottery style selection process.” This project has no enforcement mechanism for the City to ensure it gets built-out in the manner envisioned/approved or in any timeframe. The project could sit vacant for decades.
17. Grade-separated crossings connecting Wildhorse and Northstar Park are promised on page 19/52 of the Project Description document), but the connection to Northstar Park is not shown on any project map. This ambiguity creates confusing and ultimately presents a risk to the City that these amenities will be deleted by the builder in the future. The perimeter greenbelts & open space (page 21/52) does not describe a continuous Class I pedestrian/bikeway trail around the perimeter of the property and connectivity to The Cannery to facilitate bike/ped circulation to Northstar Park and Wildhorse. The Phasing Plan Description (pages 31-32/52 excludes a constructing a grade separated undercrossing of F-street/railroad (though it is suggested on the map on page 30, it is not shown in the Mobility, Bicycle, and Trail Exhibit on page 34/52). It is described on page 35/52, but only “to identify reasonably feasible options for a separated grade crossing,” which allows the developer to easily remove this amenity the developer states is “a significant element of the Village Farms Davis mobility system.” This should be a requirement imposed on the developer if the project is approved.
18. The proposed project acknowledges it is in a FEMA Flood Zone A and this area is primarily north of the existing “Channel A.” This further supports reducing the project’s exorbitant footprint such that Channel A forms the northern boundary of the site. It would be foolish to ignore the catastrophic risks (and future costs to the City) that building in a flood plain would cause.
19. POWER/TELECOMMUNICATIONS (page 38/52) states “the project will provide conduit for future installation of electrical power, telecommunications, cable/fiber optics for TV, telephone and internet.” Who will be responsible for the installation of these utilities, when will they be installed, and who will pay for them?

20. Air Quality Impacts. As stated on page 8 of 9 in the Additional Environmental Form Information document, “air quality impacts due to vehicle trips to and from the project site, as well as short-term construction-related air quality impact of NO., are found to be significant and unavoidable. In addition, under long-term cumulative conditions, air quality impacts are found to be significant and unavoidable.” This is very concerning, especially with the number of children and elderly living in proximity to the project site. In addition, the construction-related air quality impact will be of long-term duration, because all of the market rate lots will be sold and developed individually.
21. Finally, while this concern is not specifically within the jurisdiction of the City, these are critical questions to effectively managing this proposed massive influx of housing. How will the enrollment increase in DJUSD projected to result from the project be managed sustainably by DJUSD without a significant infrastructure build-out or additional building sites? How will DSHS possibly have capacity to manage that enrollment growth on their constrained campus? Will the City need to provide DSHS the Veteran’s Memorial Center or significant portions of Community Park?

Lisa Dominguez

From: Sherri Metzker
Sent: Wednesday, December 6, 2023 5:38 PM
To: Dara Dungworth
Subject: Fwd: Village Farms

Categories: Staff Follow Up

----- Forwarded message -----

From: Charles Pickett <charlespickett1952@gmail.com>
Date: Dec 6, 2023 2:58 PM
Subject: Village Farms
To: Sherri Metzker <SMetzker@cityofdavis.org>, Eileen Samitz <emsamitz@dcn.org>
Cc:

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Sherri,

At Eileen's urging, I am sending you a couple of my main concerns about this new development.

We in Davis, as in much of the state, are under pressure to reduce water usage on our home properties. I have taken the changing climate and our city's request seriously, by removing my backyard lawn. I did the front lawn decades ago. And sure enough my water usage has dropped almost by half, but at a cost to me. I am redesigning my backyard for this change which has so far cost me 39k dollars. If there is a reimbursement to homeowners in Davis, I'm totally unaware of it. Where is the water going to come from for the new development? And why are we being asked to cut water usage when the city is turning around and adding more water needs? Whether people in this development grow lawns or not, those homes are going to suck up a lot of water.

Secondly, this development is huge. Where is the infrastructure to support all these new cars? Who is paying for this?

I just came back from San Diego where I spent Thanksgiving. My wife and I drove both ways going through many areas we haven't seen in years. Now, that is massive transformation down there with all the new homes, freeways swallowing up one small community after another. Gridlock at its worst. I fought several proposed developments for the perimeter of Davis specifically because I don't want to live in another 'bedroom' community, with no community spirit, individual identity. Constantly over run by commuters using the backroads of Davis, looking for the shortest, fastest way home.

Charlie

Lisa Dominguez

From: Sherri Metzker
Sent: Wednesday, December 6, 2023 5:36 PM
To: Dara Dungworth
Subject: Fwd: Village Farms - Scoping comments on EIR

Categories: Staff Follow Up

----- Forwarded message -----

From: Jean Jackman <jeanjackman@gmail.com>
Date: Dec 6, 2023 3:15 PM
Subject: Village Farms - Scoping comments on EIR
To: Sherri Metzker <SMetzker@cityofdavis.org>
Cc:

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Hello,

Thank you for the opportunity to comment on concerns and issues to be studied in the EIR for Village Farms.

First, I am concerned that to my understanding, developments first bring in money but over the years, they cost the city. So, what will this development eventually do to the city after buildout. Can we afford it? Will the taxes pay for the services 15, 20 years from now? Or will the city suffer.

I am greatly concerned that this development is planned for a 200-acre flood plain. We don't have a handle on how bad things are going to get with our climate crisis and that area is already one of great concern for water issues.

I am concerned about the traffic worsening each week on Pole Line and Covell Blvd. With this development, traffic would be reduced to a slow crawl. There is no plan for a bicycle overcrossing which should be essential for a large development.

I am concerned that vernal pools have been disced. Vernal pools have been recognized there for a long time. Isn't this illegal?

Sixty percent would be large housing units. Those would probably be sold to Bay Area people, bringing more people into our area rather than housing people already here. We need creative, more compact, affordable housing.

There has never been a clean up of toxic chemicals identified in the area. Will there be lawsuits down the line when people discover poison seeping into their yards?

This seems to be an the kind of development once viewed as acceptable, but is no longer. We need creative solutions, eco friendly growth in our new developments, not more big homes to crowd the city.

Jean Jackman
306 Del Oro Ave
Davis, CA 95616

Lisa Dominguez

From: Sherri Metzker
Sent: Wednesday, December 6, 2023 5:28 PM
To: Dara Dungworth
Subject: Fwd: Feedback regarding NOP for proposed Village Farms development

Categories: Staff Follow Up

----- Forwarded message -----

From: Mike Lehner <mikelehner@gmail.com>
Date: Dec 6, 2023 5:21 PM
Subject: Feedback regarding NOP for proposed Village Farms development
To: Sherri Metzker <SMetzker@cityofdavis.org>
Cc: Donna Neville <DNeville@cityofdavis.org>

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Hi Sherri,

I, and many of my neighbors, would like to support the proposed Village Farms development. Our City needs more housing. However, the current Village Farms proposal takes us back 50 years in urban planning best practices, placing large sprawling lots miles from the downtown or major transit/freeway corridors and asking for 4 Cannery developments in one swoop.

The suggested alternatives to be analyzed are similarly flawed, raising concerns about either building too much housing on too small an area of land far from transportation solutions or building expansive sprawling estate homes. The proposed alternatives appear to only look at alternatives for how much housing to build on how much land. **These provide different tradeoffs, but none of the proposed alternatives explore potentially improved environmental outcomes.**

I strongly recommend the EIR include a potentially environmentally superior option (and one that I would wholeheartedly endorse and advocate for): a development that avoids impacting drainage Channel A and minimizes impacting potential vernal pools/flood plains .

I defer to the City's expertise as to the specific acreage and number of units that could be supported, but I would estimate this primarily results in about 180 acres and construct ~1,000 units. **This would provide a true alternative to consider in the environmental review process and provide an important comparison of alternatives.**

It would still be about **double the size of The Cannery**, which goes a long way toward addressing the housing needs and Davis and would demonstrate that we can approve and build peripheral housing developments that are "good" from an urban planning and environmental perspective.

Thank you,
Mike Lehner

Lisa Dominguez

From: Ken <lagrone971@aol.com>
Sent: Monday, December 4, 2023 1:27 PM
To: Sherri Metzker
Subject: LaGrone - Village Farms

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Here are some changes to the proposed plans I believe should be considered:

1. I think the fire station should be located at the corner of Covell Blvd and Pole Line Rd, with fire engine access on Pole Line Rd. (Engines can override traffic signals when needed.)
2. I think the area adjacent to Covell Blvd and shown as Heritage Oak Park and West/South West Park should be with high density, high-rise dwellings, primarily small, ie studio and 1 bedroom, units with limited parking. This should be built first to thwart later NIMBYs.
3. There should be a primary school site where Village Trails Park and/or pond are currently shown. (There are no schools now north of Covell Blvd.) And there should be school access paths either over-head or under-ground from F St and Pole Line Rd.
4. I would like to see a 7/11-type store somewhere within walking/cycling distance to all residents of Village Farms.
5. There should be shown a UNITRANS route through the site.
6. Who's going to maintain any pond(s)?

Kenneth LaGrone, retired architect and resident of Davis mostly since 1954.
Phone (530)902-1973

Lisa Dominguez

From: Alex Achimore <alexachimore@yahoo.com>
Sent: Friday, December 1, 2023 12:05 PM
To: Sherri Metzker
Subject: Comments on Village Farms EIR scoping

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Hi Sherri:

Below are my comments. I wasn't sure whether to put them into their own Word doc or send them some other way, so please let me know if you would like me to resubmit in some other fashion. Hopefully, I haven't missed the window either-
-The Enterprise article was a little confusing about what the deadline was.

Thanks,

Alex

The overwhelming majority of the planned Village Farms site is devoted to detached single-family houses, which is most detrimental to the environment and will only exacerbate the lack of affordability in Davis.

Detached houses have the highest carbon footprint of all the forms of residential development. Compared to attached housing like duplexes, townhouses or multi-story apartments, detached houses require more materials per unit to construct, more energy to heat and cool (due to more external surface area), and, because they are spaced further apart, more vehicle miles traveled.

Ironically, maximizing the density of detached houses only worsens certain environmental impacts. Portions of the Cannery achieve up to 9 units per gross acre in detached houses, but there is very little room left for landscaping and shade trees. The result is a heat island compared to the older and significantly less dense parts of Davis, and at present, the plans for Village Farms appear to be heading in the same direction.

But the configuration and arrangement of buildings could result in a very different environment even if the density and use are the same. For example, the 28-unit Muir Commons is also 9 units per acre, but contains a significant amount of planted and shaded areas because the units are attached and take up less of the site. I suspect that, in addition to lower energy use and amount of building materials compared to the Cannery, the average ambient temperature is lower and the amount of rainfall per unit that makes its way to recharge the groundwater is higher.

If I'm correct, an EIR that simply looks at gross measures of density (both examples are deemed "Medium Density Housing") and the number of units will not uncover those differences. Ideally, the EIR would also study alternatives that include larger parcels, at least 2-3 acres, which would be necessary to contain attached housing like Muir Commons, Dos Pinos, or any number of well-planted condominium projects in Davis. The current reliance on small-lot, detached houses in Village Farms will not make such alternatives possible.

Affordable housing is not a subject within CEQA, and won't be considered in the EIR, but it is a critical issue today in California and Davis. Unfortunately, our market has put a floor under the prices of new detached houses that is generally out of reach for families making less than \$160,000. An additional benefit to building attached units is that it would lower their value (lower their prices), and that can only be pursued if more large parcels are made available.

Taking such steps would reduce the total sales revenue, of course, and the project must still "pencil out" or the additional housing will not be built. But I wonder if there is a more optimum balance of environmental responsibility, housing affordability, and developer profitability—i.e., that doesn't favor one at the expense of the others-- than the current Village Farms plan. Other peripheral proposals, including Shriner's and especially On the Curve, contain significantly lower

percentages of detached housing. Hopefully, in studying how to minimize negative environmental impacts, the upcoming EIR can flush out alternatives that will better address Davis' affordability crisis as well, without losing the project's financial viability.

Lisa Dominguez

From: Tom Jones <runtom@gmail.com>
Sent: Thursday, November 30, 2023 7:55 PM
To: Sherri Metzker
Subject: Village Farms project, a bad idea

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We oppose the Village Farms project for many reasons:

- 1,400 to 1800 new homes is just too many dwellings for the area
- Not enough affordable or moderately priced units
- Too much additional traffic on Covell & Pole Line
- No safe way to cross Covell on foot or by bicycle
- Developer not paying for Pole Line auto and bike bridge
- High cost of additional fire station, vehicles and staff
- Additional demand for water and sewage treatment

In summary, the project is too big and will have many bad impacts.

Sincerely,
Tom & Sandy Jones
1002 Burr St, Davis, CA 95616
530-220-5302

Lisa Dominguez

From: Georgina Valencia
Sent: Wednesday, November 29, 2023 4:34 PM
To: Sherri Metzker
Subject: RE: Village Farms Scoping Meeting
Attachments: Oranges Logo copy 3.pdf

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

November 29, 2023

TO: Planning Department
FR: Georgina Valencia, Valencia Consulting
RE: Scoping Meeting Village Farms

The following are my comments regarding 2 items stated in the Project Description for Village Farms.

1. Density alone will not solve our housing problems - To create greater affordability in housing there must be more of a consideration than just density. Density assumes lower costs and that the lower costs will produce lower sales prices. Density is not always indicative of lower building costs. While sales prices are market and profit driven, not density driven. Without imposing pricing restrictions on the sale of a property (i.e. deed restrictions as an example) the market and profit motivation will dictate the sales price of a property.

If you look at recent projects designed with density as type. A good place to start is in the Cannery. There is a condominium project in the Cannery labeled "Gala". This project is stacked flat condominiums, 4 stories and dense by design. The prices for these properties range from \$635,000 to \$800,000 plus with a monthly HOA of \$478. The HOA effectively raises the effective price of these properties (for loan and qualifying purposes) to an approximate \$800,000 to \$1,000,000 price, clearly not affordable pricing. My reason for offering this information is to show that density and density alone is not enough to get more affordably priced housing.

There needs to be a focus on permitting a greater array of housing types to be built. Perhaps even borrowing from our form based code in the downtown area. We should look at maximum floor area ratios (FARs) and development standards to regulate building size and height, to address building form and

without limiting or requiring an expected number of units to be allowed in a building. This approach would allow a greater array of housing types in Village Farms and throughout the city which in turn would create more inclusive and equitable neighborhoods to affirmatively further fair housing.

2. The Developer Contribution Program – the contribution of \$25 to \$30 million as stated by the developer is not a “real” number. Turnover (resale time frame) of these homes may happen years from the completion and sale of these homes, if at all. As evidence of what I state let me share that Habitat for Humanity has evaluated the turnover of their homeowner program at a 1-3% rate. While 3% may not be the number that the homes in Village Farms would turnover, it is safe to assume that the turnover could be a low number. Which means that the city might never realize the Developer Contribution stated in the project description "DCP equity to generate a contribution to the City's affordable housing needs in excess of what would be required under normal application of the Affordable Housing Ordinance".

In addition, while we have seen prices increase for the past decade in Davis there is no guarantee of this. Homes are not CD's and many situations impact the value of a home. Market pressure, care and maintenance of the home, fire, flood and so forth.

Also, another concern is the fact that the Applicant states they will develop a project individualized affordable housing program. The veracity and terms of this program is not a clear. And there is still no real understanding how much money will be available from the resale of these homes.

With all of this stated the DCP seems to be a bad deal for the City and our Community. The Developer Contribution Program would be better if it were a specific dollar amount and contribution to the city Housing Trust Fund and/or the building of actual deed restricted affordable for sale housing.

Thank you,

Georgina Valencia Real Estate
Broker/Owner
DRE #01044277 | ORE #201248961
3925 Yana Place | Davis, CA
Phone: (916)802-8044

“Be yourself; everyone else is already taken.” - Oscar Wilde

Lisa Dominguez

From: spotrocky@aol.com
Sent: Wednesday, November 29, 2023 1:29 PM
To: Sherri Metzker
Subject: Blake - Village Farms

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Dear Ms Metzker,

I would like the City Council to know that I object to the newly rename John Whitcombe's Village Farms. The project was a bad idea when it was Covell Village and it's a bad idea now. The impact it would have on the surrounding neighborhoods, including mine is unthinkable. Stop it. Do not allow this project through. You will be letting down the people who live, commute and shop in this area.

Sincerely,
Dolores Blake
Amapola Drive - North Davis

Lisa Dominguez

From: Sherri Metzker
Sent: Wednesday, November 29, 2023 9:56 AM
To: Dara Dungworth
Subject: Fwd: Village Farm Comments for Tonight's City Council Meeting: City Public Scoping Meeting Tonight

Categories: Staff Follow Up

----- Forwarded message -----

From: Adriana Martin Khan <adriana.martin415@gmail.com>
Date: Nov 29, 2023 8:47 AM
Subject: Village Farm Comments for Tonight's City Council Meeting: City Public Scoping Meeting Tonight
To: Sherri Metzker <SMetzker@cityofdavis.org>
Cc:

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Hello,

As a Cannery Resident, I am not in favor of the Village Farm development. I have concerns about the development's impact on quality of life, environment, traffic, and city planning.

Thank you for your time.

Adriana and Frank Khan
1660 Vine Street - Cannery

----- Forwarded message -----

From: **Cannery Neighborhood** <CANNERY@ciramail.com>
Date: Wed, Nov 29, 2023 at 8:43 AM
Subject: Reminder of City Public Scoping Meeting Tonight
To: <adriana.martin415@gmail.com>

Cannery homeowners,

This is a follow up on the Village Farms meeting last night with the City of Davis. Thank you all for the huge turnout and the productive discussion!

We encourage you to also attend the City public scoping meeting tonight at 6:30 pm. The purpose of the meeting is to solicit input and comments on the proposed Draft Environmental Impact Report (EIR) for the Village Farms Davis Project. The meeting will take place beginning at 6:30 p.m. in the Community Chambers building at Davis City Hall, 23 Russell Blvd.

This meeting will be an open house format and interested parties may drop in to review the proposed project exhibits and submit written comments at any time between 6:30 and 8:30 p.m.

You may also submit comments on the proposed development to the City Planning Department up until December 8. Please email your comments to smetzker@cityofdavis.org

Thanks, everybody, for making your voice heard!

Best wishes,

Michelle Randolph

Director of Community Association Management

You are receiving this email because you are subscribed to receive email notifications from The Cannery Neighborhood Homeowners Association

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Lisa Dominguez

From: Norb Kumagai <kumagai926@icloud.com>
Sent: Tuesday, November 28, 2023 7:16 PM
To: Sherri Metzker
Subject: Village Farms 2024 Scoping EIR Comments

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Good Evening Development Director Metzker:

As The Council is aware, I am a longtime Davis resident, having moved from Salt Lake City in August'69 where my Dad, Lindy F. Kumagai, M.D. became part of the original faculty @The U.C.Davis School of Medicine.

At the same time, my wife, Debbie Mayhew's family moved from Ann Arbor, Michigan to U.C. Davis where her Dad, Professor Leon Mayhew, became The Chair of The Sociology Department .

I met Debbie the first week of seventh grade at Emerson Junior High (across the street from City Hall).

Shortly after we arrived, my parents purchased a home just north of Aggie Field on College Park. The Mayhew's bought a home just north of Trader Joe's near the corner of West 8th Street and Sycamore Lane.

Unlike many Davis residents who live East of Pole Line Road and Covell Blvd. (Wildhorse) or directly north of Davis Senior High School's football field, we are fortunate enough to live within a five (5) minutes radius of The City of Davis Central Fire Station.

Having suffered a significant stroke several years ago, I appreciate residing within this radius. As I've mentioned, I have actually lost track of the number of times Davis Firefighters Local 3494 have saved my life.

Quite frankly, but for The Grace of God and Davis Firefighters, I would not be alive today.

In addition, my wife suffers from Dementia. Similar to Mel Gibson, Debbie was diagnosed in her early 40's. Early on, we needed to call emergency services on several occasions

That said, as part of The Village Farms 2024 Proposal, the applicant agrees to construct a joint-use emergency Community Center on the South edge of the project, which brings more residents into the five (5) minute's emergency response radius.

To the best of my knowledge, none of the other proposals address this significant issue.

I respectfully urge Council's action to expedite this application for The March 2024 California Statewide Ballot.

Norb Kumagai
Davis,CA

Sent from my iPhone

Lisa Dominguez

From: Sherri Metzker
Sent: Wednesday, November 22, 2023 7:16 AM
To: Dara Dungworth
Subject: Fwd: Fw: Comment for City Council 10/24/2023 Item #4 (Village Farms NOP)

Categories: Staff Follow Up

----- Forwarded message -----

From: Donna Neville <DNeville@cityofdavis.org>
Date: Nov 21, 2023 3:43 PM
Subject: Fw: Comment for City Council 10/24/2023 Item #4 (Village Farms NOP)
To: Sherri Metzker <SMetzker@cityofdavis.org>
Cc:

From: Mike Lehner <mikelehner@gmail.com>
Sent: Tuesday, October 24, 2023 10:55:07 AM
To: City Council Members
Subject: Comment for City Council 10/24/2023 Item #4 (Village Farms NOP)

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Please consider this comment regarding agenda Item 4 - Village Farms Davis Project Notice of Preparation (NOP) and Initiation of Draft Environmental Impact Report Preparation.

I request that the CEQA Alternatives Analysis include a clear, quantified Traffic Impact Study in the Transportation chapter for development limited to south of existing Channel A for both the proposed project and the options for "same number of units-small footprint" and "higher number of units-same footprint".

Rationale: There is clear demand for housing in Davis, but recent development proposals have been rejected at the ballot box due to traffic concerns (among others). The above request would provide Council (and the developer) with quantified traffic expectations that, if met, could be used to trigger additional development approval, up to the proposed 390 acres. This may alleviate voter concerns since the overall final project would be smaller if traffic is unexpectedly worse than predicted. Alternatively, the developer would be incentivized to alleviate/mitigate traffic impacts in order to obtain approval to develop the full acreage (perhaps at an even higher density, such as the "highest number of units-same footprint" alternative).

Adding this additional level of detail to one chapter of the analysis would be de minimus to the overall costs to prepare the report and therefore not impose an additional burden on the developer. It also supports the Council's goal of analyzing fewer alternatives, but at a greater depth of analysis. It would also provide an additional avenue for discussions between the City and the developer and perhaps lead to a greater probability of approval by the voters while enhancing the project to current and future residents.

Thank you,
Mike Lehner

Lisa Dominguez

From: Sherrill Futrell <safutrell@ucdavis.edu>
Sent: Tuesday, November 21, 2023 3:36 PM
To: Sherri Metzker
Subject: "Village Farms"

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

"Village Farms" sounds small, 19th century, nostalgic, and sweet. Too bad it's just recycled bad planning and way too big. I live in Rancho Yolo and already have trouble DAILY getting out of onto Pole Line Road. Like Nancy Reagan said, "Just Say No."

Sherrill Futrell
Davis

Lisa Dominguez

From: Sherri Metzker
Sent: Wednesday, November 15, 2023 1:41 PM
To: Dara Dungworth
Subject: FW: Village Farms EIR Comment Period

-----Original Message-----

From: Anne Myler <annermyle@gmail.com>
Sent: Wednesday, November 15, 2023 12:59 PM
To: Sherri Metzker <SMetzker@cityofdavis.org>
Subject: Village Farms EIR Comment Period

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear Ms. Metzker,

I am writing to express my deep concern over the negative impacts inherent in the proposed Village Farms project. As a north Davis resident, I am startled by the size of this project and the traffic congestion it would bring, that would seriously exacerbate I-80 access at Mace Blvd. and also result in unsafe traffic and major delays on Covell Blvd. and Pole Line Road.

I also question the need for the size of proposed housing units instead of more affordable housing to accommodate young families and current Davis workers who cannot afford to live here.

Thank you for having the public meetings to allow for comment. Please include my concerns in the comments submitted for the EIR review.

Best regards,
Anne Myler
2605 Amapola Drive

Lisa Dominguez

From: Barbara Archer
Sent: Tuesday, October 24, 2023 1:33 PM
To: Sherri Metzker; Dara Dungworth
Subject: FW: Please approve the issuance of the Village farms NOP this evening

From: Alan Pryor <alanpryor21@gmail.com>
Sent: Tuesday, October 24, 2023 1:09 PM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: Please approve the issuance of the Village farms NOP this evening

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear Councilmembers - We all knew the proposed Village Farms development would be controversial but we have never seen a project that has seen this many unfounded allegations thrown out opposing this project even before the NOP or EIR has even been released. Trying to keep up with those allegations is like playing Whack-a-Mole at the County Fair.

The first claim that the site was sitting on a huge hydrocarbon-contaminated groundwater plume arising from the City's old closed landfill that included "*vinyl chloride – which is a carcinogenic chemical that never goes away*"!

Well very low levels of vinyl chloride were detected in test wells in two instances back in the 1990s. But dozens of samples taken from 2005 to 2018 showed NO vinyl chloride at all (apparently it does go away!) and only one other hydrocarbon was found in a few samples that were well below maximum levels established by CalEPA.

The next scare tactic was that the now closed police firing range by the landfill had left dangerous levels of lead contamination in the project's soil - never mind that the bullets fired by police were toward the north (away from town) and not toward the south. And recently completed tests showed not a single soil sample was in excess of background concentrations.

Then came the claim was that a huge natural gas pipeline ran directly beneath the project and it could explode potentially with catastrophic consequences - even in the planned all-electric neighborhood. Of course, the naysayers aren't saying they all have and use natural gas hookups in their own homes with natural gas pipelines criss-crossing their own neighborhoods for which they apparently are not worried.

The latest mole to pop up is the claim that the developer had recently surreptitiously disced a small alkaline soil area on the site in August for the first time in at least several decades to destroy any traces of a purported vernal pool in advance of preparation of the EIR for the project.

Well, firstly, the discing was done by the leasehold farmer and the developer didn't even know it was being disced at the time. But more importantly, aerial photos show the alkaline soil area has been routinely disced going back to at least 1968 which is conveniently ignored by the shrill accusations of the naysayers. The current practice is to disc the entire field at least once a year for weed control and fire abatement and there are photos and statements showing it being done at least every year for at least a few decades.

Secondly, I do not believe it is even vernal pool habitat but simply a low-lying depression wetland in an agricultural field. And I do know a little about agricultural soils having farmed or managed a farm almost my entire life and having extensive research background specifically in agricultural soils for over a 10 year period including a stint as a Visiting Professor at UCD.

But regardless of what I or others say, the purpose of an EIR is to allow independent certified environmental experts to evaluate all potential impacts on natural resources to determine if a significant impact will result and, if necessary, to propose proper mitigation for the identified impact.

Please authorize the issuance of the NOP and let the experts do their job. There will be plenty of time later for arguing over the propriety of the project if any significant environmental impacts are even determined. Thank you.

--
Alan Pryor
916-996-4811 (cell)

Lisa Dominguez

From: Barbara Archer
Sent: Tuesday, October 24, 2023 11:29 AM
To: Sherri Metzker; Dara Dungworth
Subject: FW: Comment for City Council 10/24/2023 Item #4 (Village Farms NOP)

From: Mike Lehner <mikelehner@gmail.com>
Sent: Tuesday, October 24, 2023 10:55 AM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: Comment for City Council 10/24/2023 Item #4 (Village Farms NOP)

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Please consider this comment regarding agenda Item 4 - Village Farms Davis Project Notice of Preparation (NOP) and Initiation of Draft Environmental Impact Report Preparation.

I request that the CEQA Alternatives Analysis include a clear, quantified Traffic Impact Study in the Transportation chapter for development limited to south of existing Channel A for both the proposed project and the options for "same number of units-small footprint" and "higher number of units-same footprint".

Rationale: There is clear demand for housing in Davis, but recent development proposals have been rejected at the ballot box due to traffic concerns (among others). The above request would provide Council (and the developer) with quantified traffic expectations that, if met, could be used to trigger additional development approval, up to the proposed 390 acres. This may alleviate voter concerns since the overall final project would be smaller if traffic is unexpectedly worse than predicted. Alternatively, the developer would be incentivized to alleviate/mitigate traffic impacts in order to obtain approval to develop the full acreage (perhaps at an even higher density, such as the "highest number of units-same footprint" alternative).

Adding this additional level of detail to one chapter of the analysis would be de minimus to the overall costs to prepare the report and therefore not impose an additional burden on the developer. It also supports the Council's goal of analyzing fewer alternatives, but at a greater depth of analysis. It would also provide an additional avenue for discussions between the City and the developer and perhaps lead to a greater probability of approval by the voters while enhancing the project to current and future residents.

Thank you,
Mike Lehner

Lisa Dominguez

From: Barbara Archer
Sent: Tuesday, October 24, 2023 10:45 AM
To: Sherri Metzker; Dara Dungworth
Subject: FW: Village Farms Project

-----Original Message-----

From: Larry Strozyk <larrystrozyk@alohabroadband.com>
Sent: Monday, October 23, 2023 10:41 PM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: Village Farms Project

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Well, this is incredible. I am against the Village Farms Project. How are you going to stuff potentially 4,000 people into a flood zone already contaminated by adjacent refuse?
I could barely, safely cross Pole Line and Covell 5 years ago as a pedestrian or bike rider. What promises are in place to improve that?
Davis is great if you in the center walking around, but trying to get out of davis on the current infrastructure is infuriating at best. How will this improve that experience? Who wants to live next to a below par high end property?
What a waste of resource and potential.
No more McMansions!
Thanks,
Larry Strozyk
Sent from my iPhone

Lisa Dominguez

From: Barbara Archer
Sent: Tuesday, October 24, 2023 10:45 AM
To: Sherri Metzker; Dara Dungworth
Subject: FW: OPPOSE Village Farms

From: Rena Nayyar <renanayyar@hotmail.com>
Sent: Monday, October 23, 2023 10:38 PM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: OPPOSE Village Farms

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Please oppose Village Farms. It is totally misnamed given the enormous size. It is too big. It already takes too long to get across town. The reason for any new development would be to meet local needs. But I am hearing about the large size and cost of most of the proposed homes, which will make it unaffordable to younger families such as those who work here but can't afford to live here. I am also concerned about developing on the floodplain as we have seen as recently as last winter the effects of atypical rainfall and this could happen more often as climate change worsens. We need the university to take on more growth, which will free up housing in Davis. Currently we have built multiple student-centered housing off campus when we should have built housing that would work not only for students but also for anyone else, including families and workforce housing. We need smaller, denser projects which protect farmland (instead of destroying it and then calling itself a farm) and open space/wildlife habitat/the unique character of Davis. We need to find ways to connect these with transportation while meeting our CAAP (climate) goals and decreasing dependence on fossil fuels. Former projects make promises on fiscal advantages but there is never followup to confirm this. We need to understand how affordable housing can pay for itself to be fiscally responsible instead of building McMansions which have more tax revenue but don't meet local needs. Until these are done, it is premature to consider more development.

Thank you,
Rena Nayyar, Davis

Lisa Dominguez

From: Barbara Archer
Sent: Tuesday, October 24, 2023 10:45 AM
To: Sherri Metzker; Dara Dungworth
Subject: FW: Please say no to the current Village Farms Development Proposal

From: Zach Horton <zach.horton@gmail.com>
Sent: Monday, October 23, 2023 10:13 PM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: Please say no to the current Village Farms Development Proposal

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear City Councilors',

I am writing to express my deep concerns and opposition to the proposed Village Farms housing development in Davis, California. I believe that Village Farms, with its 1,400-1,800 housing units, is a project that is far too large and has far too many negative impacts on our community. One of the primary concerns I have is related to flood risks in the surrounding areas, especially considering the 200-acre floodplain associated with this development.

The massive scale of the Village Farms project raises serious concerns about traffic and congestion in our already strained infrastructure. The intersection of Covell Blvd. and Pole Line Road is already heavily congested, and the addition of such a large housing development will only exacerbate the problem. Furthermore, we must consider the traffic from Woodland's Spring Lake, which already contributes to traffic jams on Pole Line Road. The proposed project lacks appropriate planning and must be downsized significantly to address these issues.

Village Farms seems to be a rebranded version of the previously rejected Covell Village project, which faced significant community opposition in 2005. We need to explore alternatives for a smaller project with fewer housing units to ensure the well-being of our community. Moreover, the current proposal includes primarily large unaffordable homes, which do not cater to the needs of middle-income families and may not contribute to our local schools as anticipated.

I strongly urge you to consider the flood risks, traffic congestion, budgetary impacts, and affordability concerns when evaluating the Village Farms project. We need better planning and a more comprehensive analysis of project alternatives, particularly in the Draft Environmental Impact Report. I believe that a project of this scale would have far-reaching and detrimental impacts. Let's work hard to find a more balanced and sustainable approach to development in Davis.

Sincerely,
Zachary Horton

Lisa Dominguez

From: Barbara Archer
Sent: Tuesday, October 24, 2023 10:40 AM
To: Sherri Metzker; Dara Dungworth
Subject: FW: Comments against proposed Village Farms development

From: Pamela Heffley <pheffley@me.com>
Sent: Monday, October 23, 2023 9:58 PM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: Comments against proposed Village Farms development

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Members of the Davis City Council:

I am a 33-year resident of Davis. For the past 22 years I have resided at my condo in La Buena Vida, fronting Pole Line Rd, north of Covell Blvd.

From my living room window, I have a front row seat to observe the flow - or often lack of flow - of cars on Pole Line Rd. Twice daily, during "rush-hour", cars back up in both directions. It got to the point that when I needed to drive into work at UCD I took Rd 27 to the north and crossed to Hwy 113 in order to avoid the traffic on Covell. Traffic on this road - especially during the school year (college, elementary school & high school) - is VERY heavy with lengthy delays! The traffic on Pole Line is also affected by people traveling to/from Woodland, Interstate 5 and those going to Mace Blvd/Interstate 80/Sacramento via Covell. Along with the traffic comes the impact of additional auto exhaust on residents and pedestrians.

I would like to express my concerns about the Village Farms (VF) proposal. Basically, this project is exactly the same as the Covell Village (CV) project which was voted down by the residents of Davis (including myself) by a wide margin back in 2005 through Measure J. My primary concern is that the VF project, with its proposed addition of 1400 to 1800 more residences and two planned egress streets opening onto Pole Line will overwhelm the currently heavy traffic situations I mentioned above. There currently is a Unitrans busline traveling up Pole Line, but it doesn't make much of a dent in the number of cars using this route.

I understand that there is a lack of affordable housing in Davis, but this project only meets the minimum requirement of 15% of all units being classed as "affordable". Roughly 63% of the housing units would be "McMansions", unaffordable to middle income Davis citizens. Might I suggest more project alternatives for a smaller project with far fewer housing units be added and included for analysis in the Draft EIR for the Village Farms Project. This way we could meet housing needs and NOT put as many additional cars onto the already heavily-utilized roads of Davis.

Thank you very much for your time and consideration of my comments.

Pam Heffley

Lisa Dominguez

From: Barbara Archer
Sent: Tuesday, October 24, 2023 10:39 AM
To: Sherri Metzker; Dara Dungworth
Subject: FW: NO on The Endless Efforts to Build on Prime Ag Land

From: Sherrill Futrell <safutrell@ucdavis.edu>
Sent: Monday, October 23, 2023 9:52 PM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Cc: Eileen Samitz <emsamitz@dcn.org>
Subject: Fw: NO on The Endless Efforts to Build on Prime Ag Land

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

I hope this worked!

From: Sherrill Futrell
Sent: Monday, October 23, 2023 9:48 PM
To: [//www.cityofdavis.org/city-hall/city-council](http://www.cityofdavis.org/city-hall/city-council)
Cc: Eileen Samitz <emsamitz@dcn.org>
Subject: NO on The Endless Efforts to Build on Prime Ag Land

Dear City Council Members,

Thank you so much for your hard work getting our streets paved and striped! It's been wonderful to watch - and to bike and drive on them!

I understand that once again developers are using a housing crisis to inveigle you into approving Covell Village 2.0. I hope you will send them to another city where the agricultural land is not as valuable as ours is. Please protect our heritage for our children and theirs - they're going to need to eat. Big money talks - and destroys when big profits are to be made, regardless of the consequences. I've followed you for years and know you'll do the right thing. And there's still a lot of infill available. Thanks and best wishes!

Sherrill Futrell

Lisa Dominguez

From: Barbara Archer
Sent: Tuesday, October 24, 2023 10:37 AM
To: Sherri Metzker; Dara Dungworth
Subject: FW: High Density Housing Project at Village Farms Davis [Serious Concerns]

Sending you these public comments as FYI.

From: Mohammad Sadoghi <mo.sadoghi@expolab.org>
Sent: Monday, October 23, 2023 9:42 PM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: High Density Housing Project at Village Farms Davis [Serious Concerns]

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

To whom it may concern,

I am a faculty at UC Davis and live in Cannery. I strongly oppose this project to destroy the farmland and create such a high-density neighborhood at this scale. This experiment has a possible catastrophic outcome given its size and density. This project plans to accommodate 5-6 times more people than the number of residents at Cannery, and **this is unacceptable**. Even if it was the same size as Cannery I find it **unacceptable**. This project should be broken down into at least 10 or more smaller sites spread across the city instead of hammering and destroying an entire section of our charming city. This is a disastrous approach to long-term sustainable urban planning.

I am teaching and unable to attend the meeting tomorrow, but I again, would like to cast my **vote to strongly oppose this project**.

Best Regards,
Mohammad Sadoghi, PhD
Associate Professor
Exploratory Systems Lab (ExpoLab)
Department of Computer Science
University of California, Davis

ExpoLab: <https://expolab.org/>
ResilientDB: <https://resilientdb.com/>
Phone: 914-319-7937

Lisa Dominguez

From: Barbara Archer
Sent: Tuesday, October 24, 2023 10:36 AM
To: 'Sara Zeidenberg'
Subject: RE: Village Farms NOP item #4

Dear Sara,

Thank you for your public comment. All Councilmembers have received your email, and I am acknowledging it on their behalf.

Item 4, "Village Farms Davis Project Notice of Preparation (NOP) and Initiation of Draft Environmental Impact Report Preparation" is on the City Council's meeting agenda on October 24, 2023. If you would like to make additional public comment, please visit: <https://www.cityofdavis.org/city-hall/city-council/city-council-meetings/agendas>. From there, click on City Council meeting date you are interested in. The agenda will give you directions on how to make public comment. Item 4 is scheduled to start at 7:00 p.m., but that time can vary due to the length of public comment and other items.

City Council meetings are in-person at Community Chambers (23 Russell Blvd in Davis), but you may also view the meeting on City of Davis Government Channel 16 (available to those who subscribe to cable television) or Livestreamed online at: <https://cityofdavis.org/city-hall/city-council/city-council-meetings/meeting-videos>.

Thank you for your engagement!

Best regards,

Barbara

BARBARA ARCHER (she/her)
Public Information Officer

MOBILE: 530-400-3418
OFFICE: 530-747-5884
barcher@cityofdavis.org | City Manager's Office
23 Russell Blvd
Davis, CA 95616

CITYOFDAVIS.ORG    



From: Sara Zeidenberg <szeidenberg@gmail.com>
Sent: Monday, October 23, 2023 9:36 PM

To: City Council Members <CityCouncilMembers@cityofdavis.org>

Subject: Village Farms NOP item #4

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Hello,

I'm emailing to testify against the Village Farms development (**Village Farms NOP item #4**).

The Village Farms development plan at Pole Line Rd. and Covell Blvd is too large and will impact the community negatively.

Village Farms is proposing 1,400-1,800 housing units, exacerbating the *already* heavy traffic and congestion *now* at Covell Blvd. and Pole Line Rd. Traffic has already increased greatly due to Woodland's Spring Lake.

The Village Farms project needs better planning including being downsized *significantly*, similar to the Covell Village Project.

More project alternatives for a *smaller* project with *far fewer* housing units needs to be added and included for analysis in the Draft EIR for the Village Farms Project.

Village Farms will have costly and negative impacts on the Davis Community. I am especially concerned with flooding in the surrounding areas of the development. With a rise in flooding and climate change, it's concerning that Village Farms will affect the community in so many harmful ways.

Thank you,
Sara

Lisa Dominguez

From: Barbara Archer
Sent: Tuesday, October 24, 2023 10:35 AM
To: 'Ginga Strozyk'
Subject: RE: No Village Farms!

Dear Ginga and Kinuko,

Thank you for your public comment. All Councilmembers have received your email, and I am acknowledging it on their behalf.

Item 4, "Village Farms Davis Project Notice of Preparation (NOP) and Initiation of Draft Environmental Impact Report Preparation" is on the City Council's meeting agenda on October 24, 2023. If you would like to make additional public comment, please visit: <https://www.cityofdavis.org/city-hall/city-council/city-council-meetings/agendas>. From there, click on City Council meeting date you are interested in. The agenda will give you directions on how to make public comment. Item 4 is scheduled to start at 7:00 p.m., but that time can vary due to the length of public comment and other items.

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Thank you for your engagement!

Best regards,

Barbara

BARBARA ARCHER (she/her)
Public Information Officer
MOBILE: 530-400-3418
City Manager's Office
OFFICE: 530-747-5884
23 Russell Blvd
barcher@cityofdavis.org
Davis, CA 95616
CITYOFDAVIS.ORG

-----Original Message-----

From: Ginga Strozyk <gingastrozyk@gmail.com>
Sent: Monday, October 23, 2023 9:27 PM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: No Village Farms!

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

To whom it may concern,

As an owner/resident of a condo unit on Donner Ave, I am extremely against the proposed Village Farms project. Firstly, the traffic it would generate would make leaving and returning to my neighborhood and home a nightmare by over doubling the amount of cars on Poleline! Level of service "F" is not acceptable! Secondly, I do not trust "engineering the flood" out of the flood zone, especially with unknown impacts of global warming (more flooding, unpredictable and more volatile weather) on the horizon. Thirdly, the developers ad for VF uses the housing crisis as a reason why this development is needed, as if unaffordable to most McMansions are the answer to the housing crisis! To imply that a meager 15% of affordable housing in the entire project would help the local housing crisis is laughable. Lastly, the costs are just too much. The costs, traffic, and bad planning of Village Farms will effect all Davis residents, so for these reasons I will vote against this project as it stands.
Ginga Zeidenberg Strozyk and Kinuko Yoshida Sent from my iPhone

Lisa Dominguez

From: Jenny Tan
Sent: Tuesday, October 24, 2023 8:24 AM
To: 'Ann Privateer'; City Council Members
Cc: Sherri Metzker; Dara Dungworth
Subject: RE: Letter to City Council

Hello Ann,

Thank you for your public comment. All Councilmembers have received your email, and I am acknowledging it on their behalf.

Item 4, "Village Farms Davis Project Notice of Preparation (NOP) and Initiation of Draft Environmental Impact Report Preparation" is on the City Council's meeting agenda on October 24, 2023. If you would like to make additional public comment, please visit: <https://www.cityofdavis.org/city-hall/city-council/city-council-meetings/agendas>. From there, click on City Council meeting date you are interested in. The agenda will give you directions on how to make public comment. Item 4 is scheduled to start at 7:00 p.m., but that time can vary due to the length of public comment and other items.

City Council meetings are in-person at Community Chambers (23 Russell Blvd in Davis), but you may also view the meeting on City of Davis Government Channel 16 (available to those who subscribe to cable television) or Livestreamed online at: <https://cityofdavis.org/city-hall/city-council/city-council-meetings/meeting-videos>.

Thank you for your engagement!

Best,

JENNY TAN (she/her/hers)
Director of Community Engagement

OFFICE: [530-747-5803](tel:530-747-5803) | City Manager's Office
MOBILE: [530-400-7814](tel:530-400-7814) | 23 Russell Boulevard
jtan@cityofdavis.org | Davis, CA 95616

[CITYOFDAVIS.ORG](https://www.cityofdavis.org) 



From: Ann Privateer <annprivateer@gmail.com>
Sent: Tuesday, October 24, 2023 12:35 AM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: Re: Letter to City Council

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear Mayor Arnold and City Council members,

I have lived on the east side of Davis for many years, and I am opposed to this Village Farms for *many* reasons.

First of all, this proposed Village Farms project is *very* similar to Covell Village, just somewhat re-arranged. It has the same problems at the predecessor Covell Village project but Village Farms would have *even more* impacts than that previous project because impacts such as traffic have already increased significantly over the years! In particular Woodland's Spring Lake is contributing *far* more traffic on Pole Line Road and at the Covell Blvd. intersection.

So, adding 1,400 – 1,800+ housing units would be ridiculous with well over 40,000 more car trips daily on Covell Blvd. and over 28,000 car trips daily on Pole Line Rd. because these were the number 18 years ago for Covell Village. In turn, there would be massive backed up traffic and subsequently deteriorated air quality.

What about the costs for the infrastructure for things like the \$14 million Fire Station that is not needed? Who would pay for that? Meanwhile, over 90% of the Fire Department calls are medical, *not* fire related. We need an EMS service on the east side of town, *not* another fire station. The EMS station would cost a *fraction* of a full fire station. How would that fire truck even *get onto* Covell and get through traffic? Is there even room for a fire truck to turn onto Covell Blvd.? How would the fire truck be able to head eastbound with the street having a median? Building a new fire station make no sense and locating it on Covell Bld. makes even *less* sense.

With Village Farms proposing a large majority of large housing units on large lots, young families will *not* be able to afford these homes. So, Village Farms will *not* help to bring a significant number of kids to the Davis schools.

Finally, the EIR need to add several versions of a much smaller project for the site, on a smaller footprint to be studied in the EIR which would yield far lesser impacts environmentally and would allow preservation the very valuable habitat on the site as well. The developer bought this land in a bankruptcy "fire sale" years ago and can easily afford to allow the northern land above the channel to be use as ag mitigation and open space. This would offer the added advantage of avoiding anyhousing being located near the former City unlined Landfill and former City Sewage Treatment sitewith a history of toxics leakage. Also, because 200- acres of the site is in the 100-year flood zone. You simply *don't* build housing in that large a flood zone!

In closing, the proposed 1,400 – 1,800 or more housing units on the Village Farms site would bring massive environmental impacts with it and the City needs to explore much more down-sized development options if the City hopes to have *any* support for development of this site. Otherwise, this re-run of Covell Village will have massive opposition, and be voted down again.

Thank you,

Ann Privateer

Davis resident

Lisa Dominguez

From: Jenny Tan
Sent: Monday, October 23, 2023 2:35 PM
To: 'Alex Achimore'; City Council Members
Cc: Sherri Metzker; Dara Dungworth
Subject: RE: Configuration of scoping options for Village Farms

Hello Alex,

Thank you for your public comment. All Councilmembers have received your email, and I am acknowledging it on their behalf.

Item 4, "Village Farms Davis Project Notice of Preparation (NOP) and Initiation of Draft Environmental Impact Report Preparation" is on the City Council's meeting agenda on October 24, 2023. If you would like to make additional public comment, please visit: <https://www.cityofdavis.org/city-hall/city-council/city-council-meetings/agendas>. From there, click on City Council meeting date you are interested in. The agenda will give you directions on how to make public comment. Item 4 is scheduled to start at 7:00 p.m., but that time can vary due to the length of public comment and other items.

City Council meetings are in-person at Community Chambers (23 Russell Blvd in Davis), but you may also view the meeting on City of Davis Government Channel 16 (available to those who subscribe to cable television) or Livestreamed online at: <https://cityofdavis.org/city-hall/city-council/city-council-meetings/meeting-videos>.

Thank you for your engagement!

Best,

JENNY TAN (she/her/hers)
Director of Community Engagement

OFFICE: [530-747-5803](tel:530-747-5803) | City Manager's Office
MOBILE: [530-400-7814](tel:530-400-7814) | 23 Russell Boulevard
jtan@cityofdavis.org | Davis, CA 95616

CITYOFDAVIS.ORG 



From: Alex Achimore <alexachimore@yahoo.com>
Sent: Monday, October 23, 2023 2:30 PM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: Configuration of scoping options for Village Farms

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Council Members:

Regarding the scoping for the EIR for Village Farms, I appreciate the different density scenarios you are planning to test and think they cover the bases well. I would just caution not to lock in a particular configuration at this point, which is what the verbally proposed development boundaries will do, until some actual physical design and planning can be done. Configuration matters, especially as density increases, and it would be unfortunate to see one of the denser options deemed inferior to the base plan simply because little thought was given to the layout.

Drawing a boundary at random points across the site will just compress the development into a thick, compact core at the southern edge, and that may even make it difficult to plan a good internal circulation pattern. Especially since density is going to be a hard sell, I wonder if it would be better to develop longer & thinner elements that can be stretched out along Pole Line Road, more like an actual string of villages (see attached diagrams--sorry for such rough sketches). It would create more edge along the major roads to facilitate traffic access, more edge along the internal open space for the residents to enjoy, and could leave an open view corridor through the project between the Cannery and the new homes--relief from a wall of development and a great visual reminder as we drive down Covell that we are surrounded by farms. I am not a traffic expert and am interested to hear what a traffic engineer thinks about the different ways to configure the site. In any case, I think we need some attention to urban design, not just raw density numbers and traffic counts, as we consider various options.

Thank you,

Alex Achimore

Lisa Dominguez

From: Jenny Tan
Sent: Monday, October 23, 2023 8:13 AM
To: 'Margo Surovik'; City Council Members
Cc: Dara Dungworth; Sherri Metzker
Subject: RE: Village Farms

Hello Margo,

Thank you for your public comment. All Councilmembers have received your email, and I am acknowledging it on their behalf.

Item 4, "Village Farms Davis Project Notice of Preparation (NOP) and Initiation of Draft Environmental Impact Report Preparation" is on the City Council's meeting agenda on October 24, 2023. If you would like to make additional public comment, please visit: <https://www.cityofdavis.org/city-hall/city-council/city-council-meetings/agendas>. From there, click on City Council meeting date you are interested in. The agenda will give you directions on how to make public comment. Item 4 is scheduled to start at 7:00 p.m., but that time can vary due to the length of public comment and other items.

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Thank you for your engagement!

Best,

JENNY TAN (she/her/hers)
Director of Community Engagement

OFFICE: [530-747-5803](tel:530-747-5803) | City Manager's Office
MOBILE: [530-400-7814](tel:530-400-7814) | 23 Russell Boulevard
jtan@cityofdavis.org | Davis, CA 95616

[CITYOFDAVIS.ORG](https://www.cityofdavis.org) 



From: Margo Surovik <mesurovik@gmail.com>
Sent: Monday, October 23, 2023 4:40 AM
To: City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: Village Farms

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

VILLAGE FARMS IS TOO BIG, HAS FAR *TOO* MANY IMPACTS, AND IS SIMPLY BAD PLANNING!

- 2) Village Farms at 1,400-1,800 housing units is *insane* with so much traffic and congestion *now* at Covell Blvd. and Pole Line Road, including so much traffic from Woodland's Spring Lake.
- 3) This massive Village Farms project needs better planning including being downsized *significantly*, otherwise there will be massive community opposition just like there was with the Covell Village Project.
- 4) More project alternatives for a *smaller* project with *far fewer* housing units needs to be added and included for analysis in the Draft EIR for the Village Farms Project.
- 5) Village Farms is basically the same terrible project as Covell Village, but it is just rearranged with a different name now, but has *more* impacts and costs!

Thank you,
Margo Surovik Bohnert
Davis

1302 Hemlock Lane
Davis, CA 95616
(716) 998-5040

December 4, 2023

Dear Sir,

I strongly oppose the Village Farms project. The reason is quite simple, the infrastructure of Davis is inadequate to support an additional 1,400-1,800 housing units. Davis cannot accommodate this peripheral growth. Currently, there are only two ways to get between east and west Davis--Covell Blvd. and Fifth Street-Russell Blvd. Both are already overcrowded with frequent traffic jams, especially during rush hours. There is the construction of new housing on both thoroughfares. Note the large project just west of Sutter Hospital. Building the Village Farms project would only exacerbate this problem. Also, there are only three ways to get between north and south Davis--Pole Line Road, Mace Blvd. and Richards Blvd. Need I point out the current traffic problems with the latter two routes? Building Village Farms will only make traffic worse on Pole Line and cause the quality of life in Davis to be much poorer.

Additionally, there are environmental concerns which make the Village Farms project unacceptable. The proposed site lies on a flood plain, without an onsite water drainage basin. There are vernal pools on the acreage. There is a history of toxics and other contaminants leakage from the adjacent former landfill and sewage treatment plant.

Rather than considering expanding the city through peripheral development, Davis should build up rather than out. Downtown Davis is populated by one story buildings. They should be replaced with multistory structures, with commercial development at street level with housing above. Individuals attending or working at the university could then work or ride their bicycle to their intended destination. This would ease traffic congestion and keep business in the central city. Both are desired consequences.

Thank you for considering my views on this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "George A. Barnett".

George A. Barnett, Ph.D.

To the City Council
RE: (NOP) Village Farms

I have lived in a few sections of Davis and now live off of F Street and have for over 40 years. Since the building near 113 and Poleline by Woodland, The increase of traffic on F Street and Road 29 and Poleline is substantial NOW as cars transport people to work and bring students to school. It is particularly heavy between 7-8:30 in the morning and between 4:00PM and 6:PM in the evening. There is a pile up now to those crossing Poleline from Road 29 as cars travel from the UCD area and 113 to homes in Woodland.

It is also an alternative pattern where cars come across when traffic is congested on highway 80 and even further makes it unsafe and unregulated as people come who are unfamiliar with the area are trying to avoid highway accidents.

The Covell Blvd is already high density NOW. There are plans for infill I thought on Poleline further down the road near the DMV office. That seems an appropriate place to build.

There are buildings being considered in town where Hibberts and Regal Cinema have been.

The Cannery has only 1-2 ways out of their location and it goes to Covell. Adding more traffic is not wise. Wouldn't it be great if UCD and Davis made plans to offer incentives for people to ride a bus to work from Woodland, but as of now The traffic is heavy and we don't need and more two story 3 car garages built by developers who really don't innovate and instead make smaller homes in these times for people who really need housing.

Judith Blum

Village Farms Notice of Preparation Comments

By Ari Halberstadt, Davis resident

Below I discuss several aspects for consideration in the EIR to mitigate impacts from the proposed Village Farms development:

1. Greenhouse gas emissions
2. Density, local services, and transportation
3. Native habitat and wildlife

Greenhouse gas emissions

The proposed project will generate significant greenhouse gas emissions from multiple sources, including:

- Conversion from farmland
- Construction of the project
- Energy consumption over the lifetime of the project

Current emissions from farmland will be lower than from the proposed project. Greenhouse gas emissions per year per acre of agricultural land in California may range from -2.24 MTCO₂e for alfalfa to +3.95 MTCO₂e for tomatoes¹. For the site's 390 acres of land, this gives a range of -874 to 1541 MTCO₂e per year when the land is used for agriculture.

Construction and operation of the site will result in much higher emissions. Embodied emissions from construction of the homes for the project could be on the order of 64,000 MTCO₂e. This estimate is based on the given number of units, an estimate of the size of each unit, and an approximate value of 184 kg CO₂e/m² in emissions for residential construction². These embodied emissions do not include emissions due to road paving or other activities or resources, and therefore may be an underestimate. In my comments on Davis' CAP submitted in October 2022, I wrote that the city should include measures to reduce emissions due to construction, such as lower-emission cement and steel. According to RMI, "reductions of 30 to 50 percent can be demonstrated with commercially available, affordable, and code-compliant building materials". A reduction in embodied emissions of 50% could reduce these emissions by 32,000 MTCO₂e.

Emissions from energy consumption over the lifetime of the project will depend on the energy mix used to power the project and on the amount of energy consumed by the project. California requires new homes to have solar systems, but not storage or microgrid capability. Emissions from electricity consumption on the PG&E grid could be about 3,614 MTCO₂ in the first fully-built year and 77,783 MT over 25 years, based on an analysis using NREL's REopt Lite using load profiles for efficient all-electric homes with 15% of residences adopting EVs and assuming an average 4 kW solar system per residence

¹ Shaffer S and Thompson E Jr 2015, A New Comparison of Greenhouse Gas Emissions from California Agricultural and Urban Land Uses, American Farmland Trust, <https://farmlandinfo.org/wp-content/uploads/sites/2/2019/09/AFTCrop-UrbanGreenhouseGasReport-February2015-Edited-May2015.pdf>

² Magwood C et al 2023, The Hidden Climate Impact of Residential Construction, Rocky Mountain Institute, <https://rmi.org/insight/hidden-climate-impact-of-residential-construction/>

for total installed PV capacity of 7.2 MW³. In contrast, adopting a local renewable microgrid with an overall 12 MW solar generation capacity and a 3.1 MW / 24.7 MWh battery system could result in year 1 emissions of just 424 MTCO₂ and CO₂ emissions of 9,676 MT over 25 years. In addition, such a microgrid could reduce lifetime costs by over \$20M in present value over 25 years compared to a solar-only system, while producing exportable renewable energy, reducing lifetime emissions of carbon by 68,107 MT and significantly reducing NO_x, SO₂ and PM_{2.5} emissions. (Note that this analysis does not include emissions from fossil fuel powered vehicles or changes due to increasing adoption of EVs.)

Davis' GHG inventory estimated emissions to be 567,000 MTCO₂e in 2016. Davis set a minimum target for the year 2030 in the City's 2023 Climate Action and Adaptation Plan (CAAP)⁴ of 40% below 2016 levels, or 340,200 MTCO₂e. The minimum 40% target (taken at a linear rate of decline, as indicated in figure ES1 of Davis' 2023 CAP), implies emissions should decrease by 16,200 MTCO₂e per year. Cumulative emission reductions to reach the target at this rate would be 1,587,600 MTCO₂e compared to maintaining 2016 emission levels. By 2025, emissions should be at 421,000 MTCO₂e to remain on target, and cumulative remaining emissions to 2030 should be just 203,000 MTCO₂e. However, emissions from construction of just the housing component of the proposed development could be over 64,000 MTCO₂e. In addition, use of PG&E's grid energy without a microgrid could result in additional emissions of 18,000 MTCO₂ for the first 5 years of the project through 2030 (assuming it is built in 2025), for combined emissions on the order of 82,000 MTCO₂e by 2030. This number is probably an underestimate because it does not include other emission sources, like fossil-fuel transportation. The project would therefore be a large new source of emissions representing 40% or more of the needed cumulative reduction from 2025 to reach the 2030 goal. This calculation underscores the need to consider and mitigate all sources of emissions.

Recommendations:

1. The EIR should consider reductions in greenhouse gas emissions from the project by incorporating low-emission construction design, methods, materials, and technologies, including lower-emission housing types.
2. The EIR should consider all-electric and efficient (e.g., Zero Net Energy Ready) construction.
3. The EIR should consider a renewable energy microgrid to provide local renewable power and significantly reduce emissions due to energy consumption while increasing resilience and providing significant economic benefits.
4. The EIR should consider additional measures to offset the remaining emissions from the project.

³ For the microgrid analysis, hourly load profiles for the different types of residences in Davis' climate zone were downloaded from NREL, from which I used the load shapes for measure 10 representing efficient electrified residences. In addition, I added a 15% penetration for EVs, or 263 EVs total, each consuming 5 MWh per year. From these data, and the number of proposed units of each type, I created a composite hourly load shape that I then provided to NREL's REopt Lite online modeling tool (available at <https://reopt.nrel.gov/tool>). In REopt, I selected PG&E's schedule E residential all electric utility rate for baseline territory S, chose the options to consider climate and health impacts in the optimization phase, and used hourly avoided cost values from the 2022 ACC Electric Model version 1b (<https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/demand-side-management/energy-efficiency/idsm>).

⁴ Davis 2023, 2020-2040 Climate Action and Adaptation Plan (CAAP), <https://www.cityofdavis.org/home/showpublisheddocument/18401/638173234962900000>

Density, local services, and transportation

The city should consider how local services can be supported as new developments and housing are constructed. Higher density can reduce the need for travel and travel-associated energy and emissions. In a 15-minute city⁵ the services needed by a community are located near to the community. This requires a sufficient density to support those services, yet the Village Farms development has a proposed density of just 4.6 residences per acre. In addition, the developers have proposed to build only a small commercial space, not centrally located, that would meet only a few of the needs of the community.

Single-family homes are the least efficient and least affordable homes, use the most resources and land for housing per person, and have lower density than other construction. The city should consider alternative housing mixes for Village Farms, as well as alternative approaches to common spaces. For instance, the site could incorporate more multifamily structures with shared green space versus the currently proposed number of single-family homes. This would increase density, cut energy use, increase affordability, could enhance a sense of shared community, and could relieve pressure on habitat.

Transportation interacts with energy consumption and community/urban design. The city should consider how it can reduce single vehicle miles travelled and reduce transportation needs. Vehicles account for significant emissions and other negative impacts, including traffic. While our transportation systems are in the process of conversion to electric systems, EVs will still use significant resources, produce pollution, and impact traffic. For instance, an all-electric passenger vehicle driven an average 12,000 miles per year could be expected to consume 5 MWh of electricity per year. This can be more energy than is consumed by a residence that was built with efficient construction and electric appliances. Further, vehicle ownership is expensive and not particularly affordable to many people. As noted above, sufficient density and situating services locally reduces transportation needs – yet Village Farms proposes low-density construction with few local services, and the proposal does not touch on how these issues will be addressed or provide for alternative transportation infrastructure.

The city proposed to analyze several alternatives having different densities. These densities may be too low to support a local 15-minute city design and to achieve significant transport efficiencies. Further thought should be given to design elements and approaches to support a more compact neighborhood.

| Proposal | Acres | Units | Units/acre |
|-----------|-------|-------|------------|
| Developer | 390 | 1800 | 4.6 |
| City | 390 | 1395 | 3.6 |
| City | 250 | 1800 | 7.2 |
| City | 135 | 1800 | 13.3 |
| City | 390 | ? | ? |

Table 1 City's proposed alternatives for the EIR and corresponding density per acre.

Recommendations:

1. Consider a more compact development with local services that reduce travel and its related impacts.

⁵ Allam Z et al 2022, The '15-Minute City' concept can shape a net-zero urban future, Humanities & Social Sciences Communications, <https://www.nature.com/articles/s41599-022-01145-0>

2. Consider construction of more multifamily housing to increase density and improve land use, e.g., leaving more open space for habitat.
3. Consider measures to support EV and public transport charging and bidirectional charging.
4. Consider additional measures to reduce transportation needs and impact and provide alternative transportation infrastructure.

Native wildlife and habitat

We must protect and restore open space and habitat for wildlife and humans to thrive. The area encompassing Davis has lost much of its original habitat, wiping out most riparian zones, degrading the wetlands that thrived here, and displacing wildlife. We have a responsibility toward our fellow life to restore and protect it, ever more urgently as the earth's climate and environment degrade due to human actions. Integrating nature locally into our cities will help restore humans to a more balanced relationship with the earth. The city, and engaged residents, have protected and restored parcels of habitat. The city can go further, and integrate local habitat more directly into new developments.

The Village Farms proposal includes 25.8 acres for "natural habitat area". Yet, this is similar to the land area allocated to roads, 21.3 acres. The land area available to habitat should be expanded and integrated more fully into the development. Habitat can be interwoven into an overall urban setting. The proposal includes about 80 acres of other open spaces, including parks, an educational farm, transition area, and greenbelts. The city should ensure that open spaces include native habitat, especially native plants, and spaces conducive to local wildlife. Trees, shrubs, grasses, and other plants should be selected from local native species. These native species will support local wildlife, will improve soil health, and will tend to be drought resistant. Architectural practices can enhance habitat, including such features as rain gardens, green roofs and walls, and more. Water management is an important element as well, and the development can incorporate grey water (which will also save energy) and elements like porous surfaces. In addition, by building a more compact development, more open space will be available for habitat.

Previously, I provided comments on shortcomings of the urban forestry plan. I recommend that the city consider more modern ecological urban forestry approaches and include an emphasis on native trees and habitat.

Recommendations:

1. Consider increasing the amount of natural habitat and incorporating habitat and nature throughout the development.
2. Consider habitat and plantings that support native wildlife.
3. Consider ways to avoid harming sensitive habitat, such as native grasses in the proposed South Village.

December 5, 2023

Mr. Michael Webb, City Manager
23 Russell Boulevard
Davis, CA 95616

Covell Farms Property NOP Scope of Work Recommendations

Hello City of Davis Staff,

I respectfully request that these recommendations be incorporated into the Scope of Work for the Environmental Impact Study that will be made for the proposed Covell Farms project.

There is a pipeline owned by Pacific Gas and Electric that runs generally north to south through the undeveloped Covell Farms property. With the development of the residential community known as the Cannery to the immediate west and the proposed development of Covell Farms into hundreds of residential units, the property will become a high consequence area.

The Pacific Gas and Electric pipeline explosion in San Bruno that killed eight people and caused hundreds of millions of dollars in property damage in September of 2010 is an example of the risks to populated areas from gas pipelines when they are not properly inspected and maintained.

The Environmental Impact Report for the Covell Farms property should complete a pipeline integrity assessment of the pipeline to determine the future risks to the pipeline by the operation of heavy construction equipment on the property and from excavation above or near the pipeline.

It should also determine if this legacy pipeline is built to current standards for safe transmission of natural gas through a developed area.

Is there adequate mapping of the pipeline route to reduce releases caused by excavation on the property?

Does the current Pacific Gas and Electric easement on the Covell Farms property encumber an adequate safety zone established by the standards of the Federal Pipeline and Hazardous Materials Safety Administration, and the Office of the State Fire Marshall?

A **damage prevention plan** should be developed to reduce the frequency and severity of incidents caused by excavation damage. There should be identification and implementation of any methods that would improve excavation practices or use of technologies to reduce pipeline damage.

Does P.G. & E's current easement give the utility the ability to accommodate in-line inspection devices, pressure tests, and leak detection systems required for a high consequence area?

Does the current Pacific Gas and Electric easement provide the utility with the ability to complete periodic pipeline safety inspections post construction of residential or commercial development on the property?

Should the current gas pipeline be replaced before any construction begins in the area of the pipeline?

Very Respectfully,

George Heubeck

George Heubeck
1241 Menlo Drive
Davis, CA 95616-2167

CC: Department of Community Development & Sustainability
Mayor Will Arnold
Council Member Donna Neville

December 8th, 2023
Sherri Metzker
City of Davis Department of Community Development and Sustainability
23 Russell Boulevard, Suite 2
Davis, CA
95616
smetzker@cityofdavis.org

Subject:
VILLAGE FARMS DAVIS PROJECT- Scoping Comments

Dear Sherri Metzker and City Council:

I attended the scoping meeting for Village Farms on 12/2 and have studied the Notice of Preparation and have discussed this thoroughly with colleagues, neighbors, and my team at Davis Community Action Network (DCAN). I am concerned with the proposed plan for several reasons and encourage the City Council to address these in the upcoming Draft EIR process. It is imperative that this development be planned and vetted with careful and thorough consideration by city staff, the planning commission, and the city council. We need additional housing in Davis and it must be planned appropriately and have widespread acceptance in order to pass a city vote. I submit these concerns in the effort to improve this plan to achieve our housing needs.

My concerns and request for plan improvement are in three areas. **First is the need for recognition and careful study of the alkali vernal pool in the block north of the Cannery and east of the railroad tracks.** This is roughly the north half of "South Village" in the current Village Farms plans. There are known to be several special status species in this area. Records for each exist within the California Natural Diversity Database (CNDDDB) requiring careful survey and description through the EIR process. These include several plant species listed at the California Rare Plant Rank (CRPR) 1b level. We assume from previous nearby records and the vernal pool attributes of the site that vernal pool fairy shrimp, a federally listed endangered species, also exist in this site.

If preserved, this area could be a unique and educational open space unlike any other in the city of Davis. Alkali vernal pools were once prevalent here but none have been saved this close to the city center. Those at Grasslands Regional Park south of El Macero are degraded and Jepson Prairie, south of Dixon, is a significant drive away. This site is an appropriate size for an open space preserve where people can walk the perimeter and observe unique plant and animal species. Educational signs similar to those at West Davis Pond or Julie Partansky Pond would introduce the vernal pool

landscape that once was prevalent in this region. ***City council should ask for an EIR alternative that includes removing the vernal pool area from development and preserving it for the public.***

My second concern is that the housing in the current plan falls far short of meeting the needs of Davis of today. The vision of the single-family home as the ideal for young families is out-of-step with these times. We need significantly greater density so that more folks live closer to retail areas, schools, the university, and work. We need housing options where multiple families live in single structures. These include duplexes, townhouses, condominiums, and stacked apartments; housing types known as the “missing middle”. Missing middle housing is more energy efficient which ultimately means lower emissions for our community, especially as the climate warms. Additionally, tightly clustered multi-family structures provide wide contiguous spaces around structures that allow for mature tree growth to provide cooling shade. This is the kind of housing that Davis needed twenty years ago and certainly needs today. ***City council should ask for an EIR alternative that greatly increases the density of housing, incorporates more efficient types of housing, and limits or eliminates the single family homes.***

My final concern is that this development needs additional significant planning for transportation that does not include the car. This means serious consideration of public transportation routes of the future. It also requires making truly safe and inviting, the current alternatives of walking and cycling. We must move away from dependence on cars in order to lower emissions. ***City Council should require an alternative that clearly provides for and builds around the future transit lines running through North Davis and/or along Covell, that are in-step with adjacent neighborhoods and transit in the city as a whole.***

I have lived in West Davis since 1986 and I studied then worked at UCD in the College of Agricultural and Environmental Science until retirement in 2021. I concluded my 30-year career at the UCD Student Farm as the associate director. I have a clear understanding of plant ecology, land use, and the connection of people to place. My husband, among other things, has been the branch chief overseeing the California Natural Diversity Database (CNDDDB) and is currently on the board of the statewide California Native Plant Society (CNPS). We are active volunteers (DCAN) and have a much broader understanding of housing and climate action through that work. We are working towards increasing the appropriate housing in Davis ASAP and we take climate change and habitat preservation extremely seriously.

I deeply appreciate the work of the city staff, city council and all the commissions and I thank you for the opportunity to participate in this process. Please contact me with questions or updates.

Sincerely,

Carol Hillhouse

Davisite since 1986

Current member of Davis Community Action Network (DCAN)

UC Davis alumna and UC Davis faculty emeritus

VILLAGE FARMS COMMENT:

A WORLD SIGNIFICANT VERNAL POOL AND ALKALINE PRAIRIE BIOLOGICAL HOTSPOT IS PRESENT AT THE NORTH EDGE OF DAVIS. CALIFORNIA AND A VILLAGE FARMS PROPOSAL TO DESTROY IT WOULD CONSTITUTE ECOCIDE AND MUST BE STOPPED.

SUBMITTED BY:

DR. GLEN HOLSTEIN

UCD BOTANY PhD 1984

ENVIRONMENTAL LANDSCAPE ECOLOGY PROFESSIONAL 1987-PRESENT

EMERITUS US FISH AND WILDLIFE CERTIFIED VERNAL POOL CRUSTACEAN EXPERT

TULEYOME BOARD MEMBER

YOLO COLUSA CALIFORNIA NATIVE PLANT SOCIETY CHAPTER FOUNDER AND BOARD MEMBER

ENVIRONMENTALIST OF THE YEAR 2013 ENVIRONMENTAL COUNCIL OF SACRAMENTO

SIERRA CLUB MOTHER LODGE CHAPTER 2018 CONSERVATIONIST OF THE YEAR

Vernal pools are a rare and vanishing ecosystem particularly well developed in California's Central Valley. Associated with vernal pools on the valley's west side is another rare ecosystem, alkaline prairie. A vernal pool and alkaline prairie landscape of world-class conservation significance is present at the north edge of Davis. Particularly significant is partial domination of the pool by one of the earth's rarest, most beautiful, and most endangered plant species, *Astragalus tener* var. *tener*. It has the California Native Plant Society's 1B2 highest rarity classification, and it is rapidly being extirpated in its tiny entire range limited to the heavily urbanized area between Sacramento and Berkeley. Destruction of its largest known Yolo County population twenty years ago inspired a passionate local commitment to conservation leading to creation of Woodland Regional Park and Preserve environmental education and biodiversity preserve and the campaign that created Berryessa Snow Mountain National Monument and its proposed Molok Luyuk addition. Unfortunately, Davis lacks anything comparable to Woodland Regional Park and Preserve.

Other pool dominants are also native vernal pool strong indicator plants. They include *Psilocarphus brevissimus*, *Plagiobothrys stipitatus* var. *micranthus*, and *Downingia pulchella*. The latter is a strikingly beautiful plant with blue flowers causing pools they dominate like this one to look like brilliant blue water-filled ponds. In addition to these dominants other native vernal pool indicator plants present in the pool include *Psilocarphus oregonus*, *Plagiobothrys bracteatus*, *Plagiobothrys leptocladus*, *Plagiobothrys stipitatus* var. *stipitatus*, *Juncus bufonius*, *Epilobium campestre*, *Plantago elongata*, *Hordeum depressum*, *Myosurus minimus*, and *Myosurus sessilis*.

Surrounding the vernal pool on uplands is another rare ecosystem, alkaline prairie, dominated by the native species *Centromadia pungens* ssp. *pungens*, an indicator of natural conditions in such prairies. Other native species present in the alkaline prairie around the vernal pool are *Sesuvium verrucosum*, *Achyraea mollis*, *Microseris douglasii* ssp. *douglasii* (understory dominant), *Amsinckia menziessii*, *Lepidium acutidens*, *Lepidium nitidum*, *Atriplex argentea* var. *expansa*, *Extriplex joaquiniana* (another

CNPS 1B2), *Cressa truxilensis*, *Cuscuta indecora*, *Croton setigera*, *Lupinus bicolor*, *Trifolium bifidum* var. *decipiens*, *Trifolium depauperatum* var. *amplectens*, *Frankenia salina*, *Heliotropium currasavicum* var. *oculatum*, *Epilobium brachycarpum*, *Eschscholzia californica*, *Distichlis spicata*, and *Elymus triticoides*. In addition, the following rare CNPS 1B2 species have been found at this vernal pool/alkaline prairie complex in the past but not currently are *Atriplex depressa*, *Atriplex cordulata* var. *cordulata*, and *Puccinellia simplex*.

The plants present in the vernal pool are also strong indicators of the likely presence of crustaceans confined to vernal pools. Among these are:

1. Vernal pool tadpole shrimp (*Lepidurus packardi*), a federally listed endangered species previously documented in the area.
2. Vernal pool fairy shrimp (*Branchinecta lynchi*) a federally listed threatened species with a documented range coinciding with the area.
3. Conservancy fairy shrimp (*Branchinecta conservation*) a federally listed endangered species with a documented range north and south of the area.

In addition, the vernal pool provides suitable habitat for California tiger salamander (*Ambystoma californiense*) a federally listed threatened species and the alkaline prairie provides suitable habitat for burrowing owl (*Athene cunicularia*), a California species of special concern.

The area was described decades ago by the late great UC Davis agronomist Beecher Crampton but then went unnoticed until it was recently found and described by the brilliant young UC Davis botanist Kees Hood. Hood presented a program illustrating and describing the area to the Yolo Colusa California Native Plant Society Chapter on August 1, 2023, and his audience was visibly impressed to find out about this remarkable area previously unknown to them virtually in their back yards.

Unfortunately, a short time later there was a suspicious attempt to destroy the vernal pool and its surroundings by an individual financially connected to its land owner, who had presented a mapped plan to develop and pave over the area as part of the Village Farms plan at issue here. Subsequently an unqualified supporter of the project made the rounds of Davis environmental groups claiming the attempted destruction was entirely accidental and coincidental and that it didn't matter anyway because no vernal pool was even present there. This was so laughably absurd in the face of photo and documentary evidence as well as decades of aerial photographs provided by Hood and others clearly demonstrating the pool's existence and biological diversity that it actually significantly increased opposition to the Village Farms project.

Such shenanigans have a long history in the area. For example, in 2004 a similar project with similar ownership called Covell Village did its required rare plant surveys in October, when vernal pool plants have withered to dust carried away by wind and no vernal pool crustacean surveys were done at all despite their obvious and known likely presence at the site. These blatant efforts to hide the site's biodiversity may have significantly contributed to its defeat by voters.

Despite the effort to destroy the vernal pool after Hood's talk, it is quite likely to be fully restorable. Vernal pools require an aquiclude which east of the Sacramento River is provided by hardpans consisting primarily of silica washed down from silica-rich granite in the Sierra Nevada. Once such hardpans are fractured, they no longer provide aquicludes for vernal pools.

Vernal pools west of the Sacramento River like the one discussed here lack hardpans and have an entirely different kind of aquiclude. Sodium ions washed down from marine sediments in the Coast Range farther west chemically glue clay particles together to form an aquiclude, and since this is a chemical reaction that can't simply be physically broken like a hardpan, western Sacramento Valley vernal pools like this one are much more readily restorable than eastern ones. Its protected area should extend 1000 meters from the pool's center to prevent harm to nests of vernal pool plant pollinators and possibly also California tiger salamander dens. No significant landscape disturbance should be permitted within that protected area including disturbance of a ditch immediately north of the vernal pool.

As the earth becomes more thoroughly covered by human development in what's now increasingly known as the Anthropocene, the survival of high levels of biodiversity in a place next to a college city like Davis can without exaggeration be called miraculous. It is doubly so since the University in Davis is a world leader in the study of biodiversity everywhere on our planet.

Deliberate destruction of parts of our planet's human community is the terrible crime of genocide, but it is increasingly recognized that deliberate destruction of the tiny part of nature remaining intact should also be recognized as a crime, that of ecocide. It is now banned by the European Parliament and the United Nations General Assembly is currently considering including it in international law. It is not yet American law, but hopefully Davis, as in so many other areas, will take the lead in doing the right thing and prevent the ecocide currently planned right here in our community.

Attn: Sherri Metzker, Community Development and Sustainability Director
City of Davis Department of Community Development and Sustainability
23 Russell Boulevard
Davis, CA 95616
smetzker@cityofdavis.org

Dear City of Davis,

There is long-documented alkali flat and vernal pool habitat present in the northwest corner of the site, outlined in light blue in **Photo 1**. This area has been recognized in past EIRs for the site and through meticulous herbarium specimen collections by UC Davis faculty Beecher Crampton and John M Tucker in the 1950's. Specimen catalogue number AHUC038872 , a specimen of saltgrass(*Distichlis spicata*) taken in 1953 by Beecher Crampton in this area describes its habitat as "Growing in alkali adobe soil, covering large areas at edges of vernal pools and open ridges". These are the exact conditions at the site - large patches of saltgrass, seasonally inundated vernal pool areas and swales. The book *Conservation of Central Valley's Vernal Pool Landscapes* defines vernal pools as "ephemeral wetlands filled primarily by direct rainfall that pond continuously or intermittently for a few weeks to months during the rainy season in an average rain year". Along with yearly flooding, this area also contains a remarkable amount of vernal pool and alkali flat species. Vernal pool indicator species found here include but are not limited to valley calico flower(*Downingia pulchella*), woolly marbles(*Psilocarphus brevissimus*), vernal pool mousetail(*Myosurus sessilis*), vernal pool popcornflower(*Plagiobothrys stipitatus*), and little mousetail(*Myosurus minimus*). In total, I observed 37 native species at the site in spring and summer of 2023, 12 of which are species only found in vernal pool habitats. Google earth historical photos and historical aerial photography also show the area has remained unfarmed and retained remnant natural vegetation since the earliest image I can find, 1937. The area has been visibly plowed several times in its history - but there is no evidence anything has been grown on the vernal pool area or that agricultural disturbance was frequent. Aerial photos show the section of the site is very distinct from what surrounds it.

Vernal pool and alkali flat plant communities are rare, and worthy of protection in themselves, but the site also contains several plants classified as rare by the California Native Plant Society(CNPS) and the State of California. According to the CNPS Website, All of the plants constituting California Rare Plant Rank 1B meet the definitions of the California Endangered Species Act of the California Fish and Game Code, and are eligible for state listing. Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, or those considered to be functionally equivalent to CEQA, as they meet the definition of Rare or Endangered under CEQA Guidelines §15125; (c) and/or §15380)" - CNPS Website. I and many others personally saw and photographed *Astragalus tener tener* and *Extriplex joaquiniana*, two 1B.2 rare plants, at the site this year. The 2004 Covell Village EIR documented the cryptic *Atriplex depressa*, another rare species, at the site. Herbarium specimens taken from the site by UC Davis faculty Beecher Crampton and John M Tucker in the 1950's documents two additional species being present at the time: *Puccinellia simplex* and *Atriplex cordulata*. Large saltgrass patches at the site could also serve as suitable habitat for the

federally endangered *Chloropyron palmatum*, the palmate-bracted birds beak. This is a remarkable density of present and possibly present rare plants in a single area, and reflects the unfortunate reality that many of these plants are rare because nearly all their habitat in the valley has been converted to agriculture or urban areas. The survival of these plants here is nothing short of a miracle.

Along with habitat for plants, this area is important habitat for animal life as well. Migrating birds are frequent visitors to the site. I was originally informed about the presence of vernal pool species at the site by a birdwatcher who frequents the area in winter to look for shorebirds, and know of several others that do the same. The area has its own eBird hotspot. There is a CNDDDB record of the federally endangered vernal pool tadpole shrimp, *Lepidurus packardi*, from along F street directly adjacent to this site. It is highly likely this species is present at this habitat and they should be sampled for. The DEIR for Covell Village was widely criticized in comments for listing "Potential for Occurrence" for all possible fairy shrimp species as "Low" without any explanation for this decision or sampling. I hope that this DEIR does not undermine its credibility by making the same mistake.

Destroying Davis's last vernal pools would be a terrible legacy for the Village Farms project to leave. I urge the city council to carefully study alternatives that leave the vernal pool section out of the final project area. Restoring this area would make an incredible park, a space to celebrate and learn about not just California's unique biodiversity, but biodiversity right here in the city of Davis. I hope the city can look into ways to design an open space preserve here that ensures the continued viability of the habitat for plant and animal species and provides opportunities for learning and recreation. Models the city could look to would be Woodland Regional Park as well as Julia Partansky and West Pond.

Suggestions for EIR

(1) Ensure that the vernal pool section outlined in **Photo 1** is not disced or disturbed in any way at least until biological surveys are complete. The area was disced in August of 2023, potentially affecting populations of special status species, the overall habitat quality, and ability to gain an accurate picture of the site's biological resources in subsequent surveys.

(2) Fairy shrimp and plant surveys should ensure at least some samples are taken from the vernal pool section of the site outlined in **Photo 1**. Ideally, dry season surveys would take soil samples from the areas previously known to be inundated in winter. Plant surveys should also take prior herbarium specimens and CNDDDB records into account. Lack of CNDDDB records should not be used to assume a plant species isn't present, as the database itself states.

(3) Wetland delineation should take historical google maps photos and previous EIRs including the one for the 2004 Covell Village project and winter ponding into consideration. A very dry winter may reduce ponding duration and extent to a very short duration, and ponding extent can be variable (**Photo 2**). Surveying should occur in January or February before the vernal pool area has begun to dry up and contract, as well as later in the season. Any attempts to delineate

wetlands using vegetation must take into account that the area was disced very recently, potentially disrupting the distribution patterns and presence of wetland and vernal pool vegetation.

(4)The EIR should carefully study project alternatives leaving the vernal pool and alkali flat section of the site out of the project footprint, or integrate it into a green space similar to West Davis Pond or Julia Partansky pond that creates recreational opportunities for the future residents of the development. Studying an alternative that doesn't remove this habitat may also be important since impacts to the species present here may be determined to be too significant to allow building on this part of the site, or require substantial mitigation. Finally, I believe the voters of Davis will be far more inclined to support a project that saves Davis's last vernal pool, not one that destroys it.

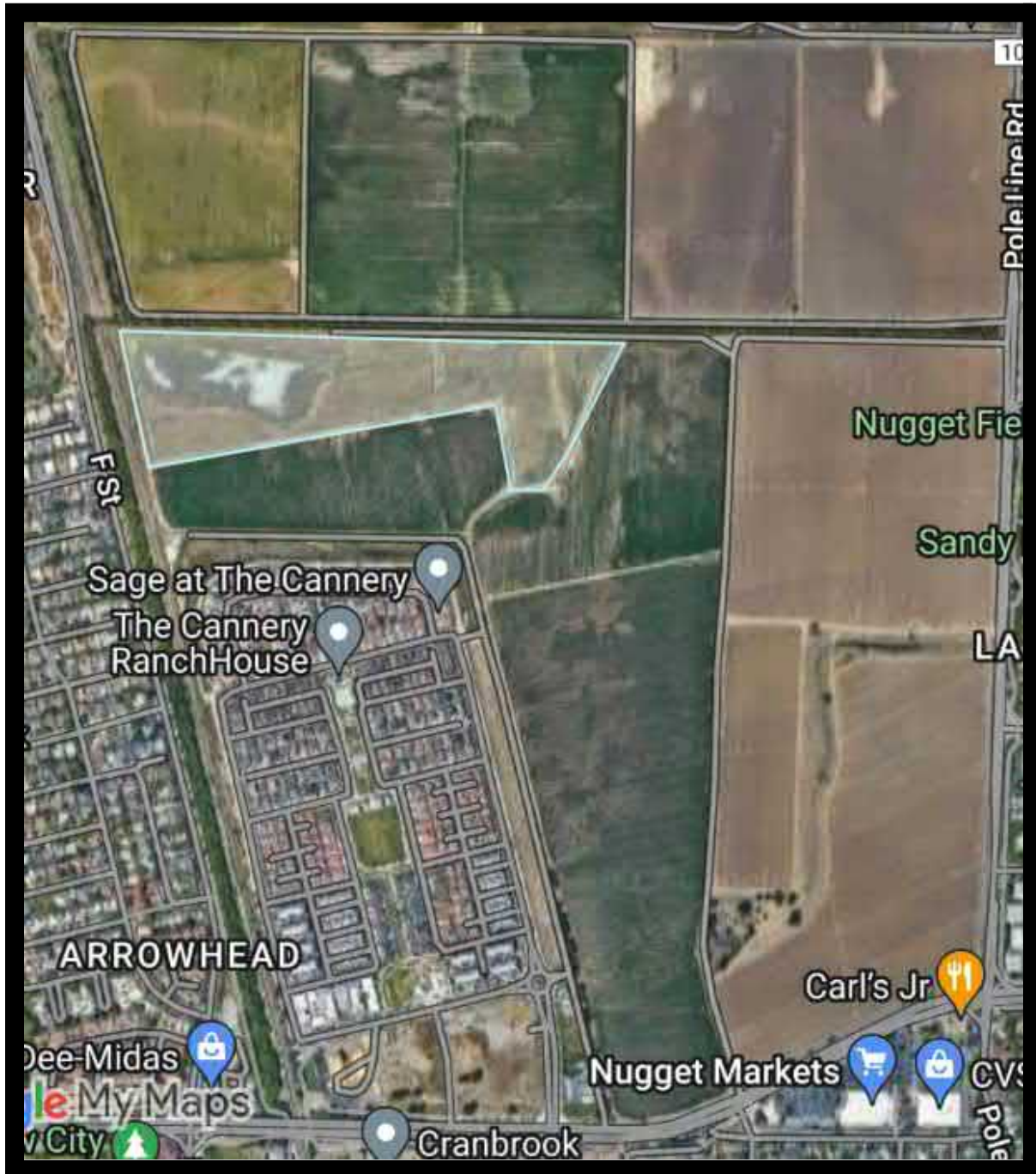
Sincerely,

Kees Hood

B.S. Evolution, Ecology, and Biodiversity 2023

2022-2023 Sustainable Living and Learning Community Green Fellow

Photo 1: Outlined Area of Alkaline Flat and Vernal Pool Habitat



Photos 2-5: Google Earth Photos showing Variable Pool Size

Google Earth Photo - March 2016(high precipitation year)



Google Earth Photo - February 2018(low precipitation year)



Google Earth Photo - February 2022(low precipitation year)



Google Earth Photo - March 2023(high precipitation year)



Sustainable Growth Yolo
Tim Keller, Board Member

City Planning Commission / City Council
Davis CA,

Friends at City Hall and Members of the Planning Commission,

I would like to formally request that the city expand the scope of its EIR process for the Village Farms project to include an alternative scenario for development whereby the property is intentionally developed with sustainability in mind.

As you may know, there is a group of people in the community who are working on a new way to process growth and to re-vitalize our city's ability to be proactive with regard to urban planning. That effort includes an amendment to Measure J/R/D which would set an urban limit line and allow projects within that limit line to bypass the measure J process if they conform to a development plan that WE have already approved as a community; one that is master-planned and intentionally designed for sustainability, and to have minimal impacts on local traffic.

Essentially we will be pre-approving the developments that WE want, and allowing the developers to either build in line with the community's vision for growth, or try to go their own way with a Measure J/R/D vote.

Although the specifics of the alternative measure are still in need of refinement, it is already quite obvious that the kind of sustainable development we are proposing is a world apart from the vision for the property being currently proposed by the developer.

Sustainable neighborhoods are often described as "walkable" and "bike friendly" or "15 minute cities". These are all synonyms for "medium-density, mixed use zoning, with transit deliberately designed in."

After all, the vast majority of our individual carbon footprints is dictated by the kind of housing we live in, and how we get to work. Single family housing is car-served housing. And we already know it's the worst kind of housing we could possibly build if we actually cared about the climate crisis. We might as well be proposing a coal-fired power plant.

So I think it's incumbent upon the city to strongly consider and quantify an alternative, more sustainably conceived concept for this community.

I have attached some details of an alternative vision for the Village Farms property that is in-line with both the proposed measure J amendment, as well as modern practices for sustainable city design. I urge you to give such an alternative vision for development equal weight in the environmental review process so that we see not only the impact of the development as proposed, but how much better it could be if we did it right.

Sincerely,

Tim Keller
Board Member, Sustainable Growth Yolo

Sustainability Standards for Development under an Amended Measure J.

1. A neighborhood that is compliant with a master-planned community map, including placement of middle-density housing and vertical mixed use neighborhood commerce centers along an integrated transit line.
2. 7% dedication of the gross development acreage for affordable housing
3. Energy efficiency standards in-line with similar standards developed by the city for other projects (We are looking to the city to propose details)
4. A maximum of 1.3 parking spots per unit for housing that is within 1 quarter mile of the transit line. One available for free, the next available with an additional fee.

City Map Showing Affected Properties and Transit Line.



Key:

Yellow - Low density Residential: Single family homes and duplexes

Orange - Medium Density Residential: Condos / Apartments / Row Houses / Co-Ops

Red- Medium density Mixed Use: Condos and apartments over ground-floor commercial

Blue Line: Proposed dedicated transitway: Busses or a tram and parallel bike paths, (no cars)

White Circles: ¼ mile radius around proposed transit stops

Purple: Community farm : a re-located substitute for the mace 25 property on the curve.

The intent of this map is to make the point that a high-frequency transit line is possible that can serve a string of higher-density neighborhoods going around the mace curve. Combining medium density housing with reliable transit service is the ONLY way to produce sustainable housing outcomes that do not increase car dependency and exacerbate traffic, VMT's and parking impacts.

This requires high-level, proactive planning by the city, but it IS possible. The intent of the measure J amendment is to enable this kind of long-term planning control to be put back in the city's hands and not be subjected to the developer's whim.

Gross Density Map of Alternative Village Farms Concept



Please note that this is not intended as a planning map, it just shows gross densities for the sake of the EIR, and demonstrates how the intended density on this map would be served by the transit line. Color codes are same as above image.

Notes for analysis:

Traffic:

By focusing on more affordable housing types and developing a neighborhood that has limited parking but ample transit service, we are intentionally making a neighborhood which will cater preferentially to our local workforce and not to outbound commuters.

We know from census data and campus transit surveys that we have a housing market that has gentrified significantly, with wealthier outbound commuters being better able to compete for limited housing in town compared to less affluent local service workers, students and university staff.

This transit-oriented housing concept conveys economic benefits to local workers who are able to bike to work or use transit instead of commuting in, and specifically doesn't cater to non-local residents who might want to live in Davis as a bedroom community, and who as a rule need at least 2 cars per family.

The net effect is intended to be that we see a reduction in total vehicle miles driven by providing local housing for our local workforce. Building single family housing for more affluent outbound commuters is likely to have the opposite effect.

The Transit line.

The transit line shown in the above map is envisioned as a dedicated transitway that is reserved for bikes and transit and will exclude cars. At first this transitway will be served by bus, but eventually it is designed to be replaceable by a light streetcar or tram.

Of course, nobody builds a rail-based transit system to just serve one development, but that is why re-establishing a master-planning process for these peripheral properties is so critically important – we need to take a high-level view of how these neighborhoods work *together*, and make sure they form an well-considered integrated city design. This kind of intentional coordinated development will simply never happen under our current developer-led paradigm.

For the sake of the analysis of this development, we should assume that the transit line is established and is running every 15 minutes. The transit will be separated from car traffic where possible, and where it interfaces with city streets it will have signal priority. The same for the parallel bike paths.

If well conceived enough this transit line will take residents downtown and onto campus faster and for less money than the alternative of driving, bringing more business downtown while relieving demands for parking.

Density & Scope

The proposed inclusion of medium density housing forms changes one fundamental aspect of the EIR in a significant way: How many housing units total are possible at the site.

By increasing the density of the lower half of the property which is in range of the proposed transit line, as denoted in the map above, you realize that you can produce MORE housing in just this lower half than is slated for the entire property under the developer's baseline proposal: 1800 dwelling units on this 390 acre site: a gross density of only 4.6 du / acre. (gross)

| Village Farms Proposal | | | |
|------------------------|-------------------|-------|-------|
| | Du / Acre (Gross) | Acres | Units |
| Site-Wide Average | 4.62 | 390 | 1800 |

| Alternate Proposal | | | |
|-------------------------|-------------------|-------|-------|
| | Du / Acre (gross) | Acres | Units |
| Lower High Density | 20 | 51 | 1020 |
| Middle Medium Density | 12 | 80 | 960 |
| | | | 1980 |
| Optional: Single Family | 4 | 249 | 996 |
| | | | 2976 |

To do a true apples-to-apples comparison of this approach I think that it is important to look at two alternative scenarios:

1. Analyze the impact of increased density in the southern $\frac{1}{3}$ of the property, but keep the the total number of units built on the site constant, by excluding the consideration of developing the northern $\frac{2}{3}$

2. Add in the impact of the lower density housing in the northern third

I think that it would be useful for the EIR to be broken down like this so that we can see what the effects are of each “bite” of the project we might want to take.

Generalized studies suggest that multi-family attached housing that is transit served conveys a benefit of cutting one’s carbon footprint in half. Localizing those concepts and seeing if they hold true to this project is thus of significant import, and we should be able to decide as a community if we want to build all of the property, just the most sustainable parts, or none of it.

There is international precedent for this: In Freiburg Germany for example: If an intended development isn't in range of a logical transit line, it simply isn't permitted. It makes inherent sense if you care about sustainability, and there is no particular reason why we need to develop the *entirety* of this parcel, now or ever.

That said, even 1800 new housing units would be entirely insufficient to provide local homes for our 20,000+ inbound commuters, so segmenting the impacts by density type would allow us to make a better decision as to whether or not including more of the lower-density housing types are going to be worth the impacts they produce.

Energy Efficiency and Utilities

It has been recently proposed that peripheral properties could be developed on a city-run microgrid that is optionally dis-connectable from the PG&E grid, which would allow for more solar power generation on-site as well as the deployment of district heating and cooling.

Attached forms of housing are already much more energy efficient than single family homes, but the integration of deliberately sustainable energy services might take that energy advantage to even another level.

This component of the sustainability standards is not yet part of the working draft of the proposed measure J amendment as it needs further exploration, But it may be by the time we ask the council to put it on the ballot.

Either way the EIR process might be a vehicle for understanding the potential impacts of such a proposal, so I leave it to the commission if they want to consider these energy efficiency concepts into the alternative EIR.

Summary

Davis needs housing desperately, but the housing we build, and the way we build it, is going to be effectively permanent: Once these decisions are made, we are stuck with the design of the neighborhood and the density of it, and whether or not transit is afforded a way to service it, forever.

It is imperative that we get this right.

The developer has proposed a traditional housing development and is unapologetic about it. He has a clear vision for what housing is *supposed* to look like and what he thinks people need.

But he is working from a 1950's era playbook that we KNOW as a society to be wrong. The low-density, single family suburban home paradigm (and the car traffic that comes with it) is one of the largest sociological, economic, and environmental mistakes we have made as a species. We have irreversibly built so many of our cities around the car, in ways that are going to take generations to un-do. We don't need to perpetuate those same mistakes any further.

In the EIR process, we MUST look, not just at the impacts of the proposed development versus building nothing, but also versus what our future might be if we adopted urban planning concepts that are already known to be superior: Deliberate planning for sustainable density, and transit.

I ask the planning commission and the council to prepare an equal-weight EIR that includes a more sustainable transit-served neighborhood design so that we can see exactly what the impact of our choices is.

RECEIVED

DEC 08 2023

7 Dec. 2023

City of Davis
Community Development

Village Farms Davis Draft EIR,
Proposed project, scope and content of document,
Public Comment on.
In these comments, proposed project termed "VFD"

PP. 10

Attn: Sherri Metzker

City of Davis Community Development Department
23 Russell Blvd. Ste. 2, Davis, CA 95616

From: BJ Klosterman

2906 Pole Line Rd. Unit 4, Davis, CA 95618

Questions on Comments? telephone 530 756-3920.

Commenter's View Biases:

I am a 43 year long resident of the La Buena Vida condo neighborhood (built as affordable housing) immediately east across Pole Line Rd. from the proposed project. I have background in biology and planning and design or operations experiences involving some residential projects in Davis and elsewhere in California. I chaired Davis' first major projects financing plan task force and served on following economics commission. I served on first Board of Directors of Tree Davis. Thank You for legal comment period, and my comments follow here.

Some env. impact topics noted here overlap; each subject, whatever the heading, is applicable to scope and content of Draft EIR.

I. Davis, a compact, natural resources efficient, utility and infrastructure efficient urban city in a valued rural setting? Proposed project VFD of 1800 du involving 390.55 acres on mostly high value quality ag. soil, averaging well under 5 du./acre. Looks like urban sprawl to me, with attendant negative environmental impacts.

Sugge

next page

Suggest Environmentally Superior Alternative or Mitigations:

A. Leave Channel A in current place and plan a denser urban VFD with at least 1800 du on APN 035-970-33 only south of channel A. Use remaining parcel (channel A and northward) as part of drainage, flood control, ag. mitigation and part of wildlife mitigations (aligned with NorthStar North Drainage Pond, channel A in Wildhorse, Wildhorse golf course open space (public easement) and Davis perimeter greenbelt/ag buffer around Wildhorse.) (see this area for public and University birds habitat programs.)

Please note: During planning of Wildhorse development PD3-89 east across Pole Line / Rd 102, City of Davis Community Development Department and Public Works Department emphasized, from concerns for both urban planning and Pole Line / Rd 102 L.O.S. and safety, that experts in those departments were strongly opposed to housing development north of the current channel A location. On Wildhorse, the golf course was allowed as ag.-compatible recreation open space with the course land swaled directly north of channel A and course designed near Pole Line to create flood water (channel A overflow) holding capacity. Also the course was designed as links style to reduce turf irrigation, I.P.M. was required, and, for wildlife habitat/migration corridor and ~~see~~ public scenic vista mitigations, an open space easement was required. Davis perimeter greenbelt with ag buffer, 200 ft., most of border.

B. Environmentally Superior Alternative, a second suggestion: Leave this parcel(s) in agriculture. Instead meet housing needs by / via redevelopment of property lands to south of this site. E.g.: Redevelop Oak Tree Plaza, so commercial below, MF stories above at PD 6-75 B, PD 2-87, PD 6-85; redevelop senior apts. PD 9-76 for senior 1st floor, MF stories above, (south of Cannery Project) and redevelop Office Park (also PD 9-76) for MF

stories about offices; develop the part of PD 1-82 (on Kennedy Plaza) that is vacant parcel. Also, move Nugget Fields to Harper IHS back acreage, then develop at about 15 du/acre the DSUSD Intell parcel on Moore and Pole Line. These are just examples of past use that is really current under utilization of lands within City. City Staff being very competent could identify more.

II. Water Matters: Climate Change too.

(A) Wet/Flood 1) 100 yr. flood zone maps updated recently? Climate change likely effects? What parts of VFD site in 100 yr. flood zones? 2) There are historic wetlands, both in lower west-east swale, and in part just northwest ~~side~~ of Channel A. 3) What of properly up-sizing du roof gutters and downspouts (for SF, MF, etc) to cope with the heavier rains to come due to climate change? Termite infestation, rot-fungus precautions?

(B) Dry/Drought?

Confident Sacramento River water good for demands over next 50 to 60 yrs (typical useful life of housing)? Or will Sac. River be like Colorado River, overobligated and overdrawn? So does VFD have grey water systems? composting toilets? "purple pipes" infrastructure for non-potable or recycled water use in public landscape spaces like greenstreets and greenbelts? Xerophytic principles used in landscapes? Cistern/rain barrel roof water collection systems? That is, how will VFD be efficient in using water quantity; selective on water quality use; and resilient to drought, heat, and water shortages? What species or cultivars of trees that are drought-tolerant, relatively lower water needs, but diseases resistant will be developer- or builder-installed? Tree diversity to reduce disease spread? Irrigation arrangements to protect trees in drought (for shade and cooling) so dry trees do not become fire spread hazard along greenbelts, greenstreets, parks? (But lesser plants allowed to be stressed?)

next page.

III Air Quality, Pollution and Human Health, Climate changes

A) Mitigations in re Construction, site prep soil moving and winds? Impacted neighborhoods Courtyard and Oak Tree Plaza use when winds from north; La Borne Vida and Greystone MF when winds from westly.

B.) Cumulative Effects: (includes traffic)

Air: Pole Line + Covell Intersection heavily used by sensitive receptors (school kids) as pedestrians + bicyclists. In 2001, City shrugged off a Wildhorse EIR required NO_x monitoring mitigation condition. What are cumulative or project VFD impacts on CO_x , NO_x , particulates air quality for existing residential areas along Pole Line and for ped./bike users of Pole Line Corridor, nearby Covell corridor, including intersections of Pole Line + Covell? (Writer's personal note! Frequently have to close condo windows due to motor vehicle exhaust and road related particulates, esp during peak use hours. Otherwise, raw throat, sinus distress. My condo about 100ft. east of Pole Line on back of building facing away from road for 4 of my 6 windows.)

Recommend mitigation for cumulative effects includes air quality monitoring at Pole Line + Covell intersection.

C.) Some Climate Change impact mitigations for VFD:

1. Project approval requires all SF detached du (except Formal Affordable Housing) to have substantial rooftop PV (solar panels) systems (may be part of roof tiles themselves), installed before first sale of ~~units~~ each particular house.
2. All SF and MF roof materials (except PV systems) to be light-colored (dark roofs absorb heat, then heat attics, which overheat homes). eg. avoid dark roof tiles, dark asphalt shingles. Proper attic ventilation, as well as insulation, for warming climate, shall be required.
3. All housing shall have proper voltage and electric vehicle charging stations: 1/du SF, 1 per 4 du MF.

- C) H. Vast majority SF lots to be directionally aligned for optimal PV system function or passive solar benefits.
5. Adequate spaces (both land/soil and air space) shall be reserved for mature root zones and canopies/crowns of full sized shade trees, including in Affordable Housing areas and all MF du properties -- to avoid functional "red-lining" and related excess hot weather air conditioning needs for these housing types. Please note: space needs for shade trees should be required in greenbelts and greenstreets such that roots are not creating off-setting of pavement materials, ~~which~~ are hazards to pedestrians & bicyclists.

IV. Trees, Existing Conservation Efforts / Preservation!

- A) Oaks, loose group in southern part VFD site
 - B) Channel A riparian trees
 - C) Along west side rail tracks.
- A) Cultural Resource? Unique hand-made human grave stone or memorial monument with cross inset and angled plaque top within drip line under oldest oak in A) group noted above. (Unless someone has moved recently, possible human grave in root zone. ^{Do Not Disturb.})
 - A) Oak group historic Swainson's nesting site (~~report~~) repeatedly used.
 - B) Riparian trees, at least 1 tree Swainson's nest site in past. Current? Giant garter snake likely? (Writer has seen, but not visited VFD recently).

V. Wildlife and Channel A riparian area

Refer also to I(A) section above.

Existing trees important for avian food, shelter, nesting. As Cornell Ornithology Laboratories notes, there are severe, substantial losses in perching and song bird populations throughout the U.S. just in last 50 yrs. So Channel A Corridor is important.

next page.

Unfortunately, many projects' "wildlife mitigation" are locations so far out from planned development that existing or intended wildlife habitat or migration corridors are fragmented patches, and needed continuity is lost. Also, ^{often} such patches lack adequate year-round water access. What about VFD proposal?

II Growth Inducement

North of Channel A residential urban land uses would be growth pressure, promoting a Davis to Woodland Rd 102 corridor ~~creep~~ creep. For example: The owner of Wildhorse golf course has already proposed that the public should sacrifice a wildlife and scenic vista critical part of the open space easement on the course, so that he can profit from condo development there at public expense. If VFD extends north, with all the city-maintained infrastructure involved, the sound walls cutting wildlife flow and views, then why not have those condos, and develop the ag. parcel north of Wildhorse while you're at it!?? You'll already have another or need intersection into Polo Line anyway.

III Consistency with Davis General Plan Policies?

Many of these specific policies are environmentally oriented. Of these, how in-line with these policies is the VFD as proposed? Mitigations should be included as needed.

IV North of Channel A, continued:

(A) Is old Firing Range still in use for explosives? Is portion of VFD ~~area~~ site within shrapnel range (as previously defined in Wildhorse EIR)?

(B) Former garbage dump north, close to here. Any potential hazardous waste ground-water movement to soils that long-term residential homeowners, eating from backyard gardens, might get exposed to in VFD?

next page.

IX. Construction/Development Directional Phasing; Rodents Issue:

Urbanizing this large land area will displace a great many rodents, which will flee/migrate, potentially flooding nearby existing residential neighborhoods and Oak Tree plaza (think grocery store) with pests. For example, this happened with Wildhorse ground prep in phase one, which was done north to south, thereby driving rodents en masse into existing La Buena Vida neighborhood. (In an upstairs condo, I went through over 200 mouse trappings in less than two months and my adjoining neighbor at that time resorted to rat poison in our shared garage space.)

Can this development-period environmental impact be avoided or mitigated with VFD by directional phasing of ground elevation preparations/earth moving? I ~~realize~~ realize rodent populations can cycle, some years low then ~~blow~~ swelling over several years to high, then down again. But I bring this possible environmental impact to your attention,

X. Tale of Two Cities? Density of du types, location proximity to greenspace vs. Big roadways:

There seems to be a trend to locating higher-density (relatively lower cost) housing close to larger roadways -- even though these residents have fewer motorized vehicles per capita. Result is to maximize number of persons being exposed to maximum amount of vehicle air pollution and noise pollution (both proven health hazards). ~~While~~ Meanwhile, this same higher-density housing is placed to have relatively less access to publicly paid for/maintained parks and neighborhood greenbelts (with bike and pedestrian transportation access and health

Village Farms Davis Draft EIR scope... 7D02023 p. 8
BJK

promoting trees and open space greenery producing clean oxygen). Davis main drag bike lanes, bumpy bike paths in green streets and less-than-dependable, infrequent buses is not the same thing. (Says this commentator, who lives along Pole Line and has not used/owned car/truck since later 1980s, so considerable experience.)

In contrast, lower density (relatively more expensive) housing is located away from bigger roads, but next to scenic edge-of-town vistas and publicly paid-for parks and neighborhood greenbelts. Residents here, better off financially, both have and use more motor vehicles per capita and have access to much more open space already (private ownership large lots). The less-rich are essentially exposed to more pollution hazards from traffic and are "red-lined" in re trees/open space and urban heat impacts due to lack of ^{adequate} shade and landscape greenery evapo-transpirative cooling. Environmentally disparate. So, how does VFD do on this?

For example, arrange higher-density housing alongside the public greenspaces, such as neighborhood greenbelts and parks, (not on large road greenstreets and then assign these denser-housing development areas the cost of maintaining those greenstreets themselves in the road right of way).

Please see also previous comments about tree crown and root zone spaces in MF sites, as well as tree selections, under IIIc mitigations and II Dry/Drought, hereabove.

XI Noise Pollution

(a) Construction/development work hours? in re noise pollution to existing neighborhoods, as this is large project extending over lengthy calendar period. What mitigations are provided?

next page.

XI (b) Pole Line Rd. traffic increases, Noise impacts to existing neighborhoods; cumulative impacts;

Noise levels, What areas of existing residential neighborhoods (such as La Buena Vida fourplex) east of Pole Line Rd. are predicted to be exposed to greater than 60dB CNEL? Health impacts of noise pollution and resultant stress are known. What mitigations would lower this to 60dB CNEL or less? Wildhorse mitigations provided some mitigations to directly adjoining addresses only. And, sadly, recent renovation of Pole Line Rd. by city did not include vehicle wheel-sound-dampening materials?

(c) If Pole Line Rd traffic management noise-management for nearby planned VFD housing is accomplished in part by sound walls adjoining Pole Line corridor, how does this reflect/bounce of noise back at existing residential east of Pole Line Rd get mitigated? Surfacing materials/textures of wall to dampen sounds?

XII Traffic LOS? Wait times, during peak use hours on Pole Line Rd, for intersection of Pole Line and Donner where Donner vehicles are making left turn (west to southbound) into Pole Line? Mitigations? And given the recent choked-intersection risks to ~~large distances~~ street-bikes making right turn from Pole Line to Donner, or from Donner to Pole Line, why hasn't city cut separate bike right-turn-lanes into / thru all that pseudo ~~biker~~ ^{biker} choker areas? As VFD will contribute traffic impacts, ~~we~~ perhaps could contribute cost/funds to correct that oversight/leak?

Village Farms Davis Draft EIR scope...

7 Dec 2023 PID
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XIII Scenic Vistas:

(south to north)
Photo-contest-winning, panoramic views of solar year westward to the inner-coastal mountain ranges over the ag. fields -- the art tapestry view long-hanging in Council/Community chambers. The sensory proof of Davis' place in the agricultural setting (with its agricultural based university). Loss is significant impact (esp. at sunsets) to Davis Community and to existing east-side poleline-near residential neighborhoods. (Also drivers and bikers who often pull-over to cellphone photograph the views to share with friends and family.)
Mitigations? A pedestrian viewing "tower"? linked to above grade bike/ped ^{bridge} crossing of Pole Line?

And on that high flying note, thanks again for considering my comments.

BS Klosterman

end.

| COMMENTS Submitted by Betty Masuoka | |
|--|---|
| Assumptions | Will the traffic assumptions for the (so far undeveloped) commercial parcels in Cannery be calculated based on the most intense use it is zoned for. |
| Assumptions | Will the EIR assume full development at the most intensive use permitted for all currently approved development in the city when evaluating traffic impacts. |
| Assumptions | Will the EIR look at development in Woodland that is and will affect traffic on Pole Line |
| Bike | A bike overpass is proposed at Moore. Given the past experience at Cannery where the original bike overpass was never implemented and had to be substantially modified and subsidized by the city because a realistic plan and cost estimate was not available when decisions on the DA were made. How will this be addressed in the Village Homes EIR (i.e. a questionable likelihood of it actually being built) |
| Bike | Will EIR look at Village Farms impacts of additional bike traffic through the Cannery and how it will impact traffic safety in the Cannery. Bike safety is already a concern, particularly at the traffic circle on Cannery Loop and at the corner of Cannery Loop near the basket ball court. |
| Development Schedule | Will EIR look at likely timeline for the proposed housing units to be developed and sold. If the timeline is over a decade (including construction) there should be consideration of breaking the project into two. The first phase could go forward with entitlements and the second phase would receive general plan level zoning as opposed to more specific entitlements. This would give the city and community the ability to negotiate conditions of the second phase based on performance and success of the first phase. |
| Drainage/Flood | What will be the impact on the drainage canal at the northern Cannery boundary. During last year's rains it was quite full. Concern that Village Farms will add to the water runoff as it appears that Village Farms is at a higher elevation. |
| Financial Feasibility | At what point will a financial feasibility study be conducted to evaluate whether expected tax base will support this development or be a burden to the rest of the city. Hopefully the study will look at the various alternatives; what financing (CFD, bonds, etc) the developer intends to put on the property; whether an HOA will be put in place to offload some maintenance costs (eg streetscape, median landscape, etc) and if not, how will Parks, Public Works and other city departments absorb the workload/cost. |

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October 18, 2022

Dara Dungworth
Principal Planner
Community Development and Sustainability
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Subject: Comments on Notice of Preparation for Proposed Covell Farms EIR

Dear Dara:

This letter is submitted in the context of the Notice of Preparation (NOP) for the proposed Covell Farms project, which is scheduled to be discussed at the City Council meeting of October 23, 2023. The letter suggests several subjects for evaluation in the Environmental Impact Report (EIR) for the project. These comments are based on the revised project description on the City's website, dated July 19, 2023.

Grade Separated Crossings of East Covell Boulevard and Pole Line Road

Page 8 of the project description includes a discussion of Objective 12 – Circulation System. An excerpt from that section states as follows: “Collaborative discussions with all stakeholders will continue to identify the best path forward to achieve the long-standing community goal of completing the Davis Bike Loop with separated grade crossing from Nugget Fields/Wildhorse to the project to the West Side of F Street at Northstar Park.” This statement is identically repeated in a bullet at the bottom of page 22, again in the fifth bullet on page 28, and finally on page 35 under the heading of “Separated Grade Crossings to Complete the Davis Bike Loop.” However, the statement on page 35 includes the following additional verbiage: “Assuming all parties agree upon a reasonable and feasible solution, *Applicant is willing to participate in a capital contribution, along with grant funding and other transportation infrastructure funds*” (italics added by me for emphasis).

The verbiage described above leaves it completely uncertain as to when the referenced grade separated crossings for pedestrians and cyclists would ever be completed, as well as the potential location and number of such crossings.¹ In other words, such a grade-separated crossing(s) may potentially occur at virtually any time between the commencement of phase 1 and completion of page 4 of the project. Given that the 390.5-acre project is contemplated to eventually accommodate 1800 dwelling units, with an emphasis on providing housing for families with school-age children, there is a compelling need for the project description to provide explicit detail on the location and construction timing of grade-separated crossings for pedestrians and cyclists so that the DEIR can adequately analyze the potential impacts of pedestrians and cyclists using other means for accessing

¹ It is also not mentioned whether a grade-separated crossing of east Covell to the south is contemplated.

those portions of the City outside the project's boundaries. In other words, without grade-separated crossings of Pole Line Road and East Covell Boulevard, what other means will cyclists and pedestrians use to get to and from the project site, and what impact will occur to the overall transportation system if such other means are used?

In the absence of explicit details in this regard, I respectfully suggest that the DEIR should make a range of reasonable and realistic assumptions about the location and timing for completion of grade-separated crossings of Pole Line Road and/or East Covell Boulevard so that the resulting impacts on the overall transportation system can be evaluated. (For example, potentially significant motor vehicle traffic delays could occur on Pole Line Road and/or East Covell Boulevard if pedestrians and bike riders have no alternative other than using crosswalks.)

Alternatives for when such crossings would become operational could correspond to the project phases described on pages 31 – 32 of the project description, as follows:

- Grade Separated Crossing(s) are operational before completion of Phase 1.
- Grade Separated Crossings(2) and completion of the Davis Bike Loop become operational after completion of Phase 1 but before completion of Phase 2.
- Completion of Grade Separated Crossing at the intersection of Pole Line Road and Moore Avenue and Completion of the Davis Bike Loop do not occur until after completion of Phase 4 of the project. (The Infrastructure section for Phases 2,3 & 4 on page 32 imply that the graded separated crossings and completion of the Bike Loop would occur at some point between Phase 2 and 4, but the precise timing is not identified.)
- Assume that the Grade Separated Crossings and Completion of the Davis Bike Loop as contemplated in the project description do not occur at any point in the future because the grant funding, transportation infrastructure funds and implied capital contribution(s) by other entities either do not occur or are insufficient to initiate these improvements.

Transportation System Assumptions

I have been involved in completing and reviewing EIRs for over 30 years. During that time I have found that transportation impact modeling is the most nebulous aspect of an EIR. It is almost like an indecipherable "black box" that is difficult for the average person to understand. Therefore, in addition to the transportation studies that are already contemplated, I respectfully suggest that it would be meaningful for the transportation analysis to assume a vehicle trip by a typical resident of the Cannery to the I-80 eastbound onramp during the typical morning commute. Then, determine how many additional AM commute trips (and travel times) would be generated traveling toward the I-80 onramp on East Covell/Mace during each phase of the project's construction. The purpose of this analysis would be to show whether someone commuting from the Cannery to the I-80 onramp in the morning would experience an increase in their travel time, and if so, how much.

This suggestion derives from a conversation I had about 4 years ago with a young couple who own a home at the Cannery. I asked them how they liked living there. The young man replied that if he had known about the commute to his job in Sacramento, they would have probably not purchased a home at the Cannery, because his typical drive time from home to the I-80 on ramp was about 30 minutes. Of course, this is anecdotal information; the actual commute time on this route may only be 15 or 20 minutes, but quantifying the number of minutes involved in such a commute and how it would be

impacted by the proposed Covell Farms project could provide insightful information to decision makers and the public.

Thank you for considering my comments. I am a City of Davis Planning Commissioner, but these comments are submitted strictly as a private citizen.

Regards,

Greg Rowe

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December 1, 2023

Sherri Metzker
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Subject: Village Farms NOP Comment Letter #2

Dear Sherri,

On October 18, I provided an NOP comment letter on the proposed Village Farms project to Principal Planner Dara Dungworth. This letter conveys additional comments and questions, which are largely based on my ongoing review of the DEIR for the previously proposed project on this site (“Covell Village Draft Program Level EIR, SCH 2004062089, December 2004”), and because the Environmental Information Form (EIF) on the City website, submitted by the Village Farms applicant¹, states that the 2004 EIR certified by City Council in June 2005 *is considered part of the Covell Farms application package* (emphasis added).

Given that the 2005 certified FEIR is part of the 2023 application package, this letter focuses on information in the 2004 DEIR as it may relate to the current Village Farms project proposal. Page numbers in the December 2004 DEIR to which my comments and questions relate are indicated below. The comments herein are in any particular order or priority. As I continue reading the 2004 DEIR, additional comment letters may be submitted before the December 5 deadline.

Project Alternatives: It is my understanding that City Council will soon make a final determination of the project alternatives to be evaluated in the Village Farms DEIR. Based on the information in the 2004 Covell Village (CV) DEIR, I believe it is imperative that the two alternatives appearing on page 4 of the staff report to City Council on October 24, 2023 be evaluated in the Village Farms (VF) DEIR. These two alternatives (especially the 247-acre “Smaller Footprint” alternative) are similar to the “Reduced Acreage Alternative” studied in the 2004 CV DEIR, which was determined to be the Environmentally Superior Alternative (see DEIR pages 5-32 and 5-33).

- Smaller Footprint: Approximately 250 acres, with development south of existing Channel A. (I suggest that the number of units in this alternative could either be the same as the proposed VF project, or a lesser number.
- Smallest Footprint: Development limited to south of a northern limit line that is consistent with the northern boundary of The Cannery; i.e., approximately 135 acres.

¹ Dated April 4, 2023 and Revised July 19, 2023.

COMMENTS ACCORDING TO SUBJECT MATTER

1. 100-Year Floodplain: As stated in the 2004 DEIR for the Covell Village (CV) project, “Roughly half of the project site is located within the FEMA 100-year floodplain” (see Local Flooding discussion starting on page 4.11-2, Section 4.11-1 (project impact discussion starting on page 4.11-13, and Figure 4.11-1, page 4.11-3). This discussion was based on the 2002 Flood Insurance Rate Map. Given the increase of impervious surface in Davis since the CV DEIR was prepared in 2004-05, the Village Farms DEIR should address local flooding and the floodplain in great detail. It should include a description of how federal regulations governing development in a floodplain area² have changed (or not) since the 2004 DEIR was developed (see FEMA discussion, page 4.11-7). Questions and issues that need to be addressed in the new EIR include but are not limited to:
 - a. Has an updated Flood Insurance Rate Map been promulgated since 2002? If so, how does it differ in areal extent and severity compared to the 2002 map relied upon in the 2004 DEIR?
 - b. The 2004 DEIR includes a discussion of overspilling of Channel A in the project area. The DEIR for the VF project should address in detail how flooding potential would change based on the proposed drainage, detention and water conveyance features in the project description for Village Farms.

2. Monitoring Wells: A number of groundwater monitoring wells are described in the CV DEIR (pages 3-2 and 3-25).
 - a. Are these monitoring wells still in operation? If not, why is this the case?
 - b. The CV DEIR should provide detailed information on past groundwater monitoring activities, the findings resulting from that monitoring, and explain the potential implications for the development now contemplated for the 390-acre site.

3. Proposed Traffic Circles (“Roundabouts”): Similar to the current VF project proposal, the CV project proposed traffic circles on Pole Line Road at its intersections with Picasso, Donner and Moore avenues. (See Figure 3-3, Covell Village Site Plan, page 3-7.)
 - a. The Village Farms DEIR should evaluate the differences in traffic delay (LOS) end criteria emissions (NO_x, hydrocarbons, etc.) that would occur at these intersections with traffic circles, versus traffic signals or stop signs.
 - b. The CV DEIR evaluated the traffic impacts of a “High Density Alternative” (page 4.4-48), and concluded as follows: “It should be noted that the roundabout analysis performed for the High Density Alternative showed that the Pole Line Road/Picasso Avenue intersection would not operate acceptably during the PM peak hour with the installation of a roundabout.” The mitigation proposed was a traffic signal funded fully by the project applicant (see page 4.4-49 through 4.4-52).
 - i. Based on this finding in the 2004 DEIR, when traffic volume on Pole Line Road was presumably much less than it is today, the DEIR for the Village Farms project should include an analysis of high density alternatives on the referenced intersection and others such as Donner and Moore, and propose feasible mitigation measures. (Editorial comment: while higher density would help Davis achieve affordable housing goals and attain its RHNA requirements, the down side is that higher

² Title 44, Part 60 of the Code of Federal Regulations (CFR) and Title 23, Part 650 of the CFR.

density at Village Farms could make residents feel like they are trapped in an island surrounded by long lines of immobilized traffic.)

- c. What will happen to existing intersections: The City recently completed changes to the intersection of Picasso/Pole Line and, I believe, Donner/Pole Line. These changes have greatly constricted the driving lanes, and complaints have appeared on the “Next Door” app about difficulty drivers now have in making turns from Pole Line onto Picasso (especially for vehicles towing boats, etc.). The DEIR should address how the proposed traffic circles will be integrated with these recent intersection “improvements.”
 - i. The 2004 DEIR noted that installing roundabouts at intersections such as Pole Line/Picasso would necessitate dedication of right-of-way by the project applicant on the west and may encroach onto private property on the east. The VF analysis should therefore address the issue of right-of-way and potential limitations on the widening of both Covell and Pole Line in the vicinity of the project.
4. Graded Separated Crossing of Covell Boulevard: The DEIR should examine the possibility of installing a grade separated crossing of Covell Boulevard between Village Farms and the area south of Covell, perhaps aligned with J Street or the Oak Tree Shopping Center. (See CV DEIR, page 3-11.) Such an installation could improve traffic flow by providing a pedestrian and bike crossing as opposed to a crosswalk, which necessitates cessation of vehicle movement while a crosswalk is in use.
- a. Covell Undercrossing: The 2004 DEIR indicated that an undercrossing would be provided under Covell Boulevard between the Covell Village site and Oak Tree Plaza (see page 4.4-67). The Village Farms DEIR should reference this and disclose whether such an undercrossing is under consideration now, and how vehicle movement would differ if such a grade-separated crossing is constructed versus the absence of such a crossing.
5. Bus Line Service to Village Farms: The “Transit” discussion in the CV DEIR states that the project applicant was in consultation with Unitrans to serve the project site with a bus line that would travel into the site via L Street and turn around at an internal roundabout.
- a. Does the current VF project include such a bus line that would travel into the project site?
 - b. The DEIR should evaluate the transportation effects of including a bus line extending into the site versus only providing bus stops along Covell and/or Pole Line. It could be easily foreseeable that more Village Farms residents may be inclined to utilize bus service if one or bus lines extended internally into the project site.
 - c. The Covell Village DEIR notes that a new bus line into the project site was being developed by the applicant in consultation with Unitrans (see page 4.4-64). Please indicate in the new DEIR whether such “consultation” is occurring now.
6. Use of Fill Material to Ameliorate 100-Year Storm Events: The CV DEIR states that the applicant intends to provide on-site fill to offset overflows from 100-year storm events (Storm Drainage section, CV DEIR pages 3-24 and 3-25). Also, see 2004 DEIR flood hazard discussion, starting on page 4.11-13, in which it is mentioned that the project applicant was planning on providing on-site fill to prevent failure of Channel A during 100-year storm conditions. As noted on page 4.11-15 of the 2004 CV DEIR, “...should the Proposed Project not incorporate adequate measures to ensure that the project residents and structures are not located within the 100-year floodplain, approximately half of the project site would be subject to *significant* flooding impacts” (emphasis

in original text). The 2004 DEIR also concluded that the High Density Alternative would likewise encounter significant impacts to residents and structures if measures to ensure adequate flood protection were not implemented (see page 4.11-15).

- a. Does the current VF project proposal include an assumption that fill material will be imported to offset the impact of 100-year flood events? (Please recall the estimated substantial traffic congestion, road damage and air quality impacts associated with importing fill from the Clayton Howatt ranch area for the first DISC project iteration.)
- b. If fill material is to be imported, the following questions must be addressed:
 - i. what would be the volume of fill material required;
 - ii. where will the fill be obtained;
 - iii. how will it be transported to the site (conveyer system, trucks, and if by truck, the capacity of each truck and how many truck trips would be required); and
 - iv. the traffic and emission impacts of such a truck-based importation operation.

7. Local Drainage: The 2004 CV DEIR includes a discussion of Regional Flooding (page 4.11-1) and the local drainage infrastructure in the vicinity of the project area (pages 4.11-4 and 4.11-5).
 - a. The VF DEIR should include a discussion of “Regional Flooding,” and describe how such flooding compares and/or contrasts with the description of regional flooding in the 2004 DEIR; i.e., what if anything has changed, what has typified regional flooding during the heavy rainfall events between 2005 and 2022, and what has been the impact of adding the paved surface at The Cannery “upstream” from the Village Farms site?
 - i. The 2004 DEIR for the CV project states that the former “ConAgra” site (now The Cannery) was assumed to be fully developed and would continue to drain into Covell Village (page 4.11-11). What is meant by “fully developed”? Does that statement assume the amount of paved surface as it existed when the Cannery was in operation? Or, did it assume impervious surface typical of a residential development? If the assumption was the latter, how does that assumption compare to the actual completed (as built) conditions at The Cannery?
 - b. Have any modifications to the described local drainage infrastructure occurred since the December 2004 DEIR was published? If so, the new DEIR should describe those changes and whether they have positively impacted drainage flows in the project area. In particular, the DEIR for the Village Farms project should address how stormwater inflows would be different from the situation in 2004, before The Cannery was constructed.
 - c. In general, the DEIR for the Village Farms project should compare and contrast the proposed drainage and stormwater infrastructure being proposed to that which was proposed and analyzed in Section 4.11 of the 2004 DEIR for the Covell Village project.
 - d. Section 4.11-2 of the 2004 DEIR (starting on page 4.11-16) addresses four drainage system options (A – D) for the 1,515 residential unit project. The DEIR for the proposed VF project should compare and contrast the efficacy of those four options to the drainage system proposed for the current iteration of the project, including in each of the project alternatives, and especially any alternative that includes more units and/or developed acreage than assumed in the 2004 DEIR for the Covell Village project.
8. Vehicle Operations on Mace Boulevard Overcrossing: The CV DEIR includes a discussion of this topic, starting on page 4.4-17. I suggest that the VF DEIR reference the southbound traffic volumes in November 2004, describe the extent to which those traffic volumes have increased

since 2004, and include estimates of how the proposed Village Farms project would affect those volumes upon completion of the project. Also see Mace Overcrossing discussion starting on page 4.4-53, and update for the new analysis.

9. Trip Generation: The traffic analysis should take into account families having multiple drivers who travel to widely dispersed destinations on a daily basis. I am suggesting this because it is often assumed that everyone residing in a development such as Village Farms can be easily served by transit, ridesharing or by biking. This is not always the case. As context, I formerly worked in downtown Sacramento with a colleague who drove to work daily from his home in Vacaville. I asked him why he lived in Vacaville when his job was in downtown Sacramento. He replied that his wife commuted daily to her job in downtown San Francisco, which made Vacaville an ideal midway point for their two commutes. Similarly, another former colleague lives in Davis. She drives alone to her job in Sacramento County, while her husband likewise drives alone to his job in Sacramento County because they are on different work locations and schedules, and because after work she frequently drives directly from home to pick her children up from school and take them to athletic events. In my own case, between 2002 and 2015 I commuted alone to my job at Sacramento International Airport (SMF) via State Route 113 and I-5, while my wife drove alone on I-80/US50 to her job at UC Davis Medical Center. Because I had a variable work schedule, it would have been impractical to carpool, and bus service to our two employment locales was infrequent and would have consumed more time than driving. Finally, in our neighborhood there are families that in addition to having two adult drivers, also have children who have their own cars that are used for commuting to high school and college, thereby substantially increasing VMT for such families. I believe that traffic analyses typically do not adequately take this dynamic into account, but should for a project such as Village Farms. This is especially the case in Davis, where many residents commute daily to jobs in Sacramento County.
10. Phasing Analysis: The Covell Village project was planned to be constructed in three phases. The traffic analysis in the CV DEIR evaluated various intersections near the project site (on Covell and Pole Line), and determined that level of service (LOS) would reach unacceptable levels even before completion of Phase 1. “The results of the phasing analysis show that only a portion of Phase 1 could be built without triggering impacts” (DEIR page 4.4-46). The DEIR for Village Farms should conduct a similar project phasing analysis, taking into account both traffic delays and emissions. VMT could also be negatively impacted if local residents were to drive different but longer routes that they perceive to be less congested (for example, backtracking westward from the project site to State Route 113 and then driving north on SR 113 in order to reach downtown Sacramento via I-5, rather than taking the more direct route of traversing Covell Boulevard/Mace to the eastbound I-80 onramp).
11. Covell/Pole Line Intersection: The 2004 CV DEIR specified a mitigation measure to add an additional eastbound Covell left-turn pocket (see page 4.4-59). The new DEIR must revisit this mitigation measure and update it as necessary.

As noted above, I may submit additional comments before the deadline on December 5, 2023.

Although I am a City of Davis planning commissioner, the comments and suggestions herein are submitted strictly as a private citizen, and do not represent an opinion or position of the Planning Commission.

Sincerely,

Greg Rowe

Greg Rowe

C: Dara Dungworth, Principal Planner

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December 7, 2023

Sherri Metzker
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Subject: Village Farms NOP Comment Letter #3 – Groundwater Monitoring at Old Davis Landfill

Dear Sherri,

On October 18, I submitted an NOP comment letter on the proposed Village Farms project to Principal Planner Dara Dungworth, and a second comment letter was conveyed to you on December 1. This letter constitutes my third comment letter on the DEIR that will be prepared for the proposed Village Farms project. This letter addresses implications for the CEQA analysis of the proposed project as a result of a cleanup program site notice issued to the City of Davis on 26 July 2023 by the Central Valley Regional Water Quality Control Board (Water Board).¹ The Water Board is justifiably concerned about potential groundwater and soil contamination as a result of leakage emanating from the former City landfill that was located north of the Village Farms project site, as well as the nearby former wastewater treatment facility.

The GeoTracker Case Summary for the Old Davis Landfill is enclosed.

In summary, the Water Board's concerns are as follows:

- "The landfill continues to degrade groundwater quality in the area and may be a source of per- and-polyfluoroalkyl substances (PFAS)."
- "Staff believes groundwater resources in the area of the landfill should not be developed or utilized for domestic use."
- "Currently, concentrations of metals, volatile organic compounds (VOCs), nitrates, and Total Dissolved Solids (TDS) detected in landfill groundwater monitoring well samples exceed applicable maximum contaminant levels (MCLs)."
- "Staff has additional concerns about the lack of groundwater samples analyzed for PFAS chemicals because the property was previously used as a landfill site and a wastewater treatment facility which are known to be sources of PFAS."
- "Staff has concerns that discharges from the landfill pose a potential risk to agricultural/irrigation wells in the area."

¹ *Notice of Cleanup Program Site Case and Request for Additional Groundwater Monitoring, Old Davis Landfill (T10000021241), 24998 County Road 102, Davis, Yolo County, Central Valley Regional Water Quality Control Board, 26 July 2023, addressed to Richard Tsai, City of Davis Public Works Department.*

The Water Board requested that the former sewage treatment plant water supply well and all landfill monitoring wells be sampled for PFAS, and that the closed sewage treatment plant supply well be sampled for eight additional analytes.² Finally, the Water Board directed that by 27 October 2023, the City shall provide a monitoring report that discusses the results of the requested sampling report.

In a follow-up letter on 19 October 2023, the Water Board stated that it anticipates that the City of Davis will conduct the following work at the subject property through the end of the 2023-2024 fiscal year:

1. Conduct sampling of landfill monitoring wells and domestic wells located at the property where the landfill is located.
2. **Based on the results of the sampling, evaluate the risks posed to receptors around the landfill and propose a path forward for the case which may include additional investigation, remediation, or case closure (bold font added by me for emphasis).**

Questions:

- Was the requested groundwater monitoring report submitted to the Water Board by the deadline of 27 October 2023?
- If the report was not submitted by the deadline, when is it anticipated that the report will be submitted?

Concerns Relative to the Proposed Village Farms Project

- Sampling Monitoring Report Must Be Included in the DEIR Analysis: The results of the Water Board's directive may have potential implications for the Environmental Impact Report (EIR) on the Village Farms project. I therefore recommend that the monitoring report requested by the Water Board must be included as a source document to inform the environmental analysis. Further, the DEIR should not be completed until the issues and concerns raised by the Water Board have been fully resolved to the Water Board's satisfaction, particularly with reference to item 2 above in the Water Board's letter of 19 October 2023.
- Potential Impact on Drainage Channels and Detention Basins: As noted in the draft NOP discussed by City Council on 24 October 2023, the Village Farms project would reroute "Channel A" to a new stormwater detention basin, which would be located between the North and East Villages. The Village Farms project description on the City website states that the overall depth of the detention basin will be 9 feet, with a bottom elevation of 18 feet to accommodate 29 acre feet of stormwater detention (page 40). If the sampling and monitoring report requested by the Water Board reveal continued levels of PFAS and other analytes that exceed applicable Maximum Contaminant Levels (MCLs), the DEIR should address the potential for stormwater to come into contact with these soil and groundwater contaminants, and more importantly, the resulting implications for stormwater quality.
 - If stormwater were to be contaminated by such pollutants, what would be the potential impacts on humans and wildlife that might come into contact with the stormwater?

² An analyte is a chemical substance that is the subject of chemical analysis. It can be further defined as contaminants and other elements (some of which are not contaminants) for which drinking water can be analyzed.

- How might the aquifer in the project vicinity be impacted by infiltration of potentially contaminated stormwater from the detention basin?
- **Potential Habitat Impacts:** The project proposes to establish habitat in the northern portion of the site, i.e., south of the former landfill and wastewater treatment operations. The DEIR should evaluate in detail the extent to which these habitat areas might conceivably be impacted through contact with contaminated soil and groundwater.
- **Potential Pond Impacts:** Page 26 of the project description on the City website indicates that a pond will comprise a portion of the park and habitat area near the northcentral portion of the project site. The DEIR should evaluate how water quality in the pond could be effected by soil and groundwater contamination associated with the former landfill and wastewater treatment plant.
- **Public Health:** The DEIR should evaluate whether residents of Village Farms could be potentially exposed to soil and groundwater contaminants associated with the former landfill and wastewater treatment facility.
 - **Reduced Site Alternatives:** Given that the former landfill and wastewater treatment operations were located north of the proposed Village Farms site, the DEIR should evaluate whether potential exposure to contaminants would be appreciably ameliorated if the geographic boundaries and areal extent of the project site were reduced; i.e., by implementing either the 135-acre or 250-acre project alternatives identified in the City Council NOP staff report of 24 October 2023, or another potential reduced configuration that would concentrate residential development further south; i.e., a greater distance from the former landfill and wastewater treatment facilities.
 - **Potential City Legal Liability:** Although this subject is not typically part of a CEQA analysis, the City should nonetheless thoroughly examine the potential liability it may encounter if residential development is allowed to occur on a site that may be contaminated by past City operations conducted on nearby property; i.e., the former landfill and wastewater treatment facility.

Thank you for considering my comments and suggestions. Although I am a City of Davis planning commissioner, the concerns and comments expressed herein are conveyed strictly as a private citizen and Davis resident.

Regards,



Greg Rowe

Copy: Dara Dungworth, Principal Planner – City of Davis

Attachment: GeoTracker Case Summary for Old Davis Landfill.

STATE WATER RESOURCES CONTROL BOARD

GEOTRACKER

CASE SUMMARY

| | |
|---------------------------------|--|
| <u>REPORT DATE</u> 1/20/1993 | <u>HAZARDOUS MATERIAL INCIDENT REPORT FILED WITH OES?</u> N |
|---------------------------------|--|

| | |
|------------------------------------|------------------------------|
| <u>I. REPORTED BY -</u> UNKNOWN | <u>CREATED BY</u> UNKNOWN |
|------------------------------------|------------------------------|

III. SITE LOCATION

| | |
|--|---|
| <u>FACILITY NAME</u> Old Davis Landfill | <u>FACILITY ID</u> |
| <u>FACILITY ADDRESS</u> 24998 COUNTY RD 102 Davis, CA 95616 YOLO COUNTY | <u>ORIENTATION OF SITE TO STREET</u> <u>CROSS STREET</u> |

V. SUBSTANCES RELEASED / CONTAMINANT(S) OF CONCERN

FREON
MERCURY (ELEMENTAL)
NITRATE
OTHER CHLORINATED HYDROCARBONS
OTHER INORGANIC / SALT
OTHER METAL
VINYL CHLORIDE

VI. DISCOVERY/ABATEMENT

DATE DISCHARGE
BEGAN

| <u>DATE DISCOVERED</u> | <u>HOW DISCOVERED</u> | <u>DESCRIPTION</u> |
|------------------------|---|---|
| 1/20/1993 | Groundwater Monitoring Site Assessment/Site Investigation | Groundwater/soil investigation of closed landfill. |
| <u>DATE STOPPED</u> | <u>STOP METHOD</u> | <u>DESCRIPTION</u> |
| | Other Means | Landfill is not lined and does not have a leachate collection system. |

VII. SOURCE/CAUSE

| | |
|-------------------------------------|------------------------------------|
| <u>SOURCE OF DISCHARGE</u> Other | <u>CAUSE OF DISCHARGE</u> Other |
|-------------------------------------|------------------------------------|

DISCHARGE DESCRIPTION
Metals, VOCs, inorganics, anions, general minerals

VIII. CASE TYPE

CASE TYPE
Aquifer used for drinking water supply
Well used for drinking water supply
Other Groundwater (uses other than drinking water)

IX. REMEDIAL ACTION

NO REMEDIAL ACTIONS ENTERED

X. GENERAL COMMENTS

31-acre former City of Davis landfill that was closed in 1975. Former landfill is unlined and without a leachate collection system. The former landfill is suspected of discharging metals, volatile organic compounds (VOCs), nitrates, and Total Dissolved Solids (TDS) to groundwater. Additional investigation needed to determine if a water well located on the parcel where the landfill is located is impacted by the former landfill's discharge. Landfill is bordered to the north by the former City of Davis wastewater treatment plant. Additional investigation required to determine if PFAS chemicals have been discharged from the former landfill or former wastewater treatment plant.

XI. CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION REPORTED HEREIN IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

XII. REGULATORY USE ONLY

LOCAL AGENCY CASE NUMBER

REGIONAL BOARD CASE NUMBER

LOCAL AGENCY

UNKNOWN

REGIONAL BOARD

| <u>CONTACT NAME</u> | <u>INITIALS</u> | <u>ORGANIZATION NAME</u> | <u>EMAIL ADDRESS</u> |
|---------------------|-----------------|----------------------------------|-----------------------------------|
| MICHAEL DESMET | MJDS | CENTRAL VALLEY RWQCB (REGION 5S) | michael.desmet@waterboards.ca.gov |

ADDRESS

11020 Sun Center Drive, Suite 200
RANCHO CORDOVA, CA 95670

CONTACT DESCRIPTION

PHONE TYPE

PHONE

PHONE NUMBER

(916)-464-4830

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Dear Mayor Arnold and Council members,

I will be writing in more NOP comments in the near future as the comment period officially opens, but will focus my comments to a few concerning issues in this communication.

First, the project proposal appears to be rushed since it lacks *many* important details needed regarding the project, but I will get into those specifics in a future comment letter.

One glaring deficiency in the NOP proposal so far, is the inadequacy in the number and type of alternatives currently proposed. Of the 5 alternatives, besides the mandatory “no project” alternative, only one alternative proposes fewer units, being 1,395 housing units. But, the other 3 alternatives are *all* 1,800 (or more) housing unit variations. The purpose of EIR alternatives is to study alternatives of *lesser impacts*. These 3 housing unit alternatives *do not* accomplish that. Quite the contrary would create *far more impacts* environmentally, with only one alternative having a different footprint.

The 1,800 units on the 135-acre parcel alternative does not appear to be realistic. Trying to cram that many housing units on that small a parcel, would result with it consisting primarily of high rises with no yards, and little or no room for parks or greenspace. The footprint perimeter of the parcel does not seem logical either. Furthermore, if we want to get more kids living in Davis for our schools, this setup would *not* provide the type of housing suitable for young families or the “missing middle” of any demographic, whether they are workers, retirees, singles, or families. The result would be more like an “ant farm” than a desirable living environment.

What the Draft Environmental Impact Report (DEIR) needs is the inclusion of *at least* one modification to the Reduced Acreage Alternative from the Covell Village DEIR, which was the “Environmentally Superior” alternative. The modification would be for the 235-acre area to be developed, *however* preserving the roughly 32-acre vernal pools site just south of the channel on the far west side of the Village Farms land. I have attached an illustration of this alternative. This would leave roughly a net 203 acres available for development and allow preservation of the channel valuable habitat as well. It would allow the land north of the channel to be some combination of agricultural land for mitigation, and perhaps some open space as well. This would help resolve the issue of creating a safer distance or even an “exclusionary zone” from the adjacent (to the north) former City unlined landfill and Sewage Treatment Plant with a history of toxics leakage. How can this DEIR legitimately go forward without this alternative?

There had been suggestions to the developers from the public as early back as the Covell Village proposal to pursue a reduced acreage proposal with a significantly reduced number of housing units. This was primarily due to the already heavily traffic-impacted Covell and Pole Line Road’s, In particular, the Covell and Pole Line intersection has since gotten significantly worse with far more traffic congestion. This, in turn, creates other environmental impacts. At the Covell Village DEIR time, the increased traffic estimates were roughly 40,000 more car trips *per day* on Covell Blvd. and roughly 27,000 additional car trips *per day* on Pole Line Road. However, with all the added traffic from Woodland’s Spring Lake those numbers would be significantly higher with a 1,400 - 1,800 housing unit project.

Therefore, the logical step would be for the Village Farms DEIR is to add a new and modified Environmentally Superior Reduced Acreage Alternative of 203-acres of the land below the channel, for somewhere between 1,000 – 1,200 housing units. The 32-acre vernal pools area would be preserved. Again, the land above the channel would be either ag land for mitigation for some combination of ag

land and open space in order to preserve the valuable habitat. It also distances the residential component from the former City Landfill and Sewage Treatment Plant with the history of toxics leakage.

It is astonishing that the Village Farms project proposal is following the same Covell Village pattern of pushing for 1,400 - 1,800 (or more!) housing units in an area already heavily impacted with traffic and congestion, when Covell Village was so strongly rejected by Davis citizens.

It would seem to make sense to offer a project which would *not* create all of the *same* serious environmental impacts *again*. It is also hard to believe that there is such disregard for the massive rejection of Covell Village, yet the developer coming back with such a similar project which imposes the same serious impacts to environment and the community as a whole. The Village Farms proposal and alternatives, so far, are just a re-play of Covell Village, and will just generate enormous opposition again.

As I mentioned earlier, I will be submitting far more comments when the NOP comment period official begins, but I needed to raise this obvious serious inadequacy of the Draft EIR alternatives now and the need to add this Environmentally Superior alternative with the modification.

If you would like to further discuss this, please feel free to contact me by email or my phone number is (530) 756-5165 (landline) or (530) 304-1624 (cell).

Thank you for your time and consideration,

Eileen M. Samitz

**Covell Village Reduced Acreage Environmentally Superior Alternative
with modification to preserve the vernal pools for Village Farms DEIR**



"For the Covell Village Project, the Reduced Acreage Alternative would be considered the environmentally superior alternative." - Covell Village Draft EIR page 5-32

Illustration above: Modification needed for the Village Farms Draft EIR to be studied as an alternative is to preserve the vernal pools area by carving and excluding that area from the land to be developed (defined by black lines) with a reduced number of housing units.

Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

Name: PETER HOLMAN

Contact phone/email/address: 415-606-4607 / peter.holman1@gmail.com
1055 Pierce Ln. Davis CA 95616

Concerns:

- There is currently a "seasonal lake" in the area marked to become the "south village" area NW corner. This fills with water each winter, significantly during wet years. Many birds and animals are present during this time.
- There is a colony of migratory cliff swallows that currently nest at 1055 Pierce Ln each year from approx May - Aug. These are a protected species at the Federal and State level. It is unclear what impact this development would have on the colony (of approx 200 birds). They use mud to make nests, which will also be impacted by the loss of the seasonal lake.

- The Cannary currently has 1 exit with access to turn East on Covell Blvd. The current plan has the "west park" portion of the Village Farms connect into the existing traffic circle at Cannary loop. It is unclear how this will impact traffic, and safety from an ingress/egress perspective.

Note also that the currently city-approved development of the shops at the south-end of the Cannary at Covell Blvd have not yet been built. The additional traffic impact of this approved commercial development must be considered

- At the North end of The Cannary, there is a zone designated as UATA (Urban Agricultural transition area). It is unclear what the use of this space will be if there is no adjacent agricultural land. Similarly, the current "Urban Farm" at the Eastern side of The Cannary is designated UATA.
- Flood Plain - It is our understanding that a significant acreage of the proposed "Village Farms" is currently a flood plain. With heavy clay soils in Davis, having adequate buffer to prevent flooding is critical. The proposed design shows several areas of "Drainage Basin" / "Drainage channel" but it is unclear that an accurate assessment has been mathematically calculated to estimate the potential water capture needs with the removal of the natural flood plain, particularly in respect to potential wet years when flooding becomes a clear risk for Davis, particularly houses nearest the flood plain. This will need to be assessed.

I look forward to more opportunity for public comment on this project. It is entirely unclear why Davis would need this level of expansion.

Thank you, Peter Holman


Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

Name: Cai Thorman

Contact phone/email/address: 530 848 5327

cthorman @ pobox.com
2861 Bidwell St. Apt 2 Davis
(La Buena Vida)

I am very concerned about 2 things:

- *1) Traffic/Accessibility - La Buena Vida only has one entrance (Donner) which is already a problem. The traffic in the morning coming in from Woodland and in the evening leaving is already a problem. It is very important that traffic keep moving on Pole Line - so the roundabouts would be a requirement. However, sometimes the traffic backs up from Covell all the way to Moore on Pole Line in the mornings and evenings. Adding more traffic could make it impossible to leave or come. Again Donner (off Pole Line) is the only way in or out of the La Buena Vida neighborhood. In an emergency situation, I wonder what would happen (e.g., evacuation). I think having all entrances on Pole Line for Village Farms is a mistake.... 

2

2) I am very concerned about the aesthetic impact for La Buena Vida. I currently have a view of the fields and sunsets that is spectacular from the cul de sac on Bidwell. I am concerned that a wall may be built on Pole Line between Village Farms and the road. This would block our view - instead of fields and sunset, we would see a wall.

I would prefer to see gardens and homes - or a park! Please do not make Pole Line an alley on the backside of a wall. Keep in mind the homes that face Pole Line and currently have beautiful views of fields and sunsets. Keep in mind the walkers along Pole Line in the evenings. La Buena Vida is a neighborhood used to breathing space and beautiful ~~sun~~ sunsets - and our home values could be impacted if they are subsequently facing a bleak wall. I have owned my home on Bidwell for 11 years. Please don't ruin it.

Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

Name: Dave Bakay

Contact phone/email/address: djbakay@gmail.com

- 1) Has anyone measured the noise level from the go-carts? Someone implied that a wall might work to mitigate the noise but I doubt that.
- 2) Why not look at ~~some~~ smaller development plans?
- 3) How would children from this area SAFELY get to school or sport activities (esp. soccer at Sandy Motley)?
- 4) Does Davis need another Fire station (if who pays for it?) Couldn't an EMT station be sufficient and a lot cheaper?
- 5) Traffic will be horrendous. How can anything truly mitigate that?! Roundabouts are a bandaid. A young adult has already been killed at the intersection of Pole Lane & Lowell. Can bikes be safe?! Pedestrians?

Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

Name: ASHUTOSH SRIVASTAVA

Contact phone/email/address: ashutosh.srv@gmail.com

- 1) with former sewer ponds and dump site just north of this location, will soil test be done to make sure future residents are not exposed to toxic chemicals?
- 2) Since this site is in flood zone, can a comprehensive report be made on how that would be handled.
- 3) with increase in traffic due to this project, will city put more efforts on mass transportation infrastructure? currently it feels like an after thought.

Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

Name: Elizabeth Reay

Contact phone/email/address: 530-902-3248, ereay58@outlook.com
205 El Cajon av. Davis.

- ① This development is far too large for this area of town. Covell Blvd is already extremely busy, with cars sometimes backing up from Poleline to "F" Street. I know this as I live in the area and use this street almost every day.
- ② School children have no safe access to schools out of this enormous development area. There are no plans for an overpass or underpass. How many accidents does Witcome want?
- ③ There are vernal pools in this area and extremely rare native plants and flora. Please stop laying asphalt and concrete over every single sq centimeter of land that hasn't already been destroyed by development.
- ④ This is NOT a development that will bring "affordable" housing. Make the **WHOLE DEVELOPMENT** or at least half of it - affordable (\$500k or less). What a wealthy developer thinks is "affordable" is not a reality to most people, and there is not hard number for the cost of the "affordable" homes.



⑤ The cost of a new fire station ~~should~~ should be provided by the Developer not the citizens.
• We will be paying for the salaries and retirement for the firemen — Witcomb can pay for the fire house and provide vehicles.

⑥ All open habitat should be left ALONE — you people know nothing about the actual requirements of the native plants and these plants require undisturbed soil.

⑦ Open habitat should be 50% of the project.

I am taking a picture of these comments. I expect to see them listed at some point or otherwise I will assume you will have just thrown them out.

Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

Name:

Judith Feldman

Contact phone/email/address:

(530) 753-5858

1. Far too many buildings for the site and the general area.
2. Impacts:
 - Traffic impacts concerning
 - Water availability
3. Concern re: lack of affordable housing for families with moderate, low & very low income. This plan hardly addresses this problem & could modify the plan accordingly.
4. Park spaces -
 - at least 2 7 acre parks should be required for a project this large & this should not include the green streets / bike paths in this acreage.

Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

Name: Greg Rowe

Contact phone/email/address: gregrowe50@comcast.net

- ① Traffic congestion effects that would occur if no grade-separated crossing of pole line must be analyzed.
- ② ~~The~~ A project alternative similar to the Environmentally Superior Alternative in the 204 DEIR must be included in the analysis.
- ③ Flood plain implications should be studied.
- ④ Study how long it now takes a resident of the Cannery to drive to the I-80 eastbound onramp, and then project how long it would take after completion of the Correll Farms project.

Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

Name: Stephen Wheeler

Contact phone/email/address: smwheeler@ucdavis.edu

My main comment is that it's important for env. review to study a range of densities for the site. 1800 units vs. 2200 ~~vs.~~, 2500 or something like that. It's very important for Davis to use land efficiently, otherwise we'll keep expanding in less central locations. 2500 units would be very doable with 3-5 story apartment/condo buildings, townhouses, duplexes, quads, and other missing middle forms.

The Covell Village site plan (~2004) was a way better site plan in that it clustered density at the S end near transit & the shopping center which will urbanize eventually. It also had a



more connected street network with smaller blocks (better for bike/ped) and better passive solar orientation. If such features could be studied within any alternative (a super-green alternative?) that would be great.

Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

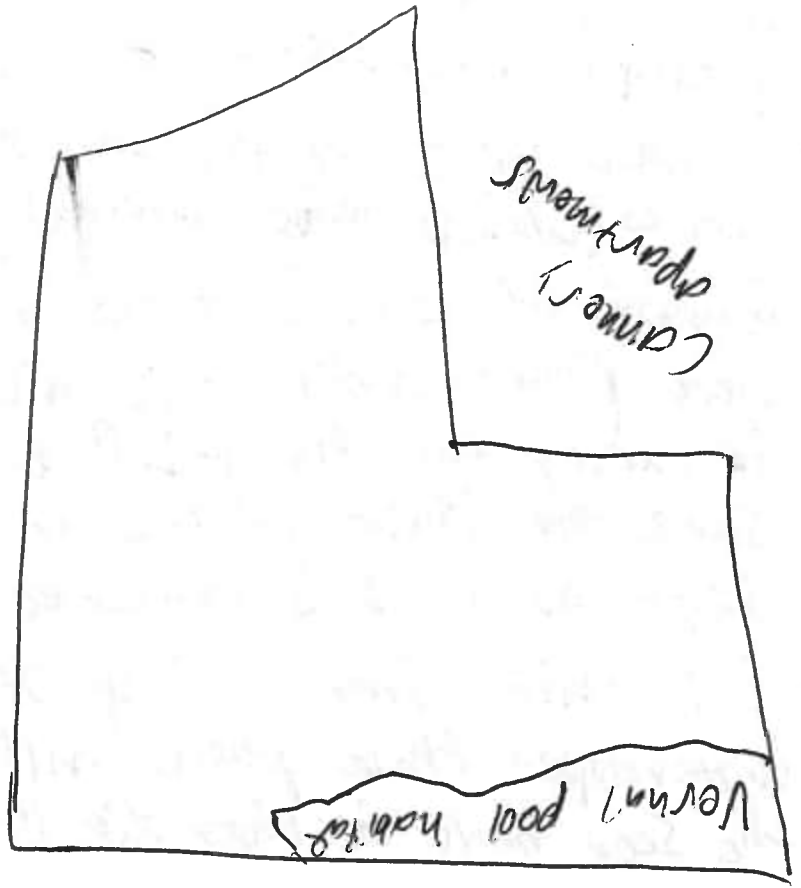
Name: Konshay Williams Damann

Contact phone/email/address: kduman@ucdavis.edu / 760-442-4577

Only comment:

- Please do not develop the vernal pool habitat at the NW edge of the planned development area!
 - I have lived in N Davis for years and I have documented many sensitive vernal pool plants including CNPS 1B.2 listed Astragalus tener tener and Extriplex joaquiniana at this site.
 - I have photo and physical documentation of these species (CNDDDB forms submitted) and others, but in August of 2023 these vernal pools were plowed under. This will make it difficult to survey for the EIR, but I want to make sure that their presence in the soil and seed bank is documented.
 - If this small strip of land can be left undeveloped these plants will re-emerge from the seed bank as they did in years past here.

See back 



N
Y

Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

Name: Ellen Kolarik

Contact phone/email/address: PESTO @ SRC Global.NET

- ① From the diagrams presented, ~~it~~^{it} is unclear what ~~are~~ is the developer using as his definition for high density medium ... etc?
- ② Previous village form maps included lot lines implying a strong preference for single family homes. I am concerned that insufficient space is being reserved for town homes / duplexes / quadplexes etc. Single family homes have a much ~~more~~^{greater} negative impact on our climate than attached housing and apartment complexes.
- ③ Also, more apartments are needed by the city. I saw only 1 area demarcated for apartments. More apartments would help increase our housing stock and provide more opportunities for ~~work~~ blue collar work force housing.

Village Farms Davis
EIR Scoping Open House
November 29, 2023
EIR Scope Written Comments

Name: SUSAN RAINIER, AIA

Contact phone/email/address: 530-902-9447; susan.rainier@gmail.com

- The first alarm for me was the speed that this is being rushed through.
- The second alarm is the disregard for ecological systems.
- FLOOD PLAINS ARE NOW 50 YR - CLIMATE CHANGE CANNOT BE DENIED, FOR THE SIGNIFICANT RISK AT THIS SITE.
- It is the most egregious to be trucking in foreign soil to build up the area for bldg. purposes. This is A MASSIVE CARBON FOOTPRINT!!! 100's of trucks coming thru on DAVIS streets!
- Disregard for toxics known to be in the region
- Unlined landfills/sewage plants in the region.
- traffic has not been fully vetted.
- Habitat destruction, building on prime farmland that must be preserved for future generations
- Disregard for a documented VERNAL POOL on the site
- Impacts on traffic, police, fire, utilities. not fully vetted due to the speed rush to get approval.
- BAD PLANNING to say the least.

My Critique of Village Farms

Sent to City of Davis in reference to the Village Farms Scoping Session

The City has asked citizens to comment on the Village Farms project

Here are mine, David J. Thompson

The project is based on obsolete planning principles which feature the single family home

Preponderance of SF homes in this era is absurd for a town that thinks it's green

Global Warming is guaranteed and increased by this car-centric planning model

Too few market-rate apartments for a community with such a low vacancy rate for the past 30 years. The lack of market rate apartments means tens of thousands of Students and working people will continue over paying on rent given the continued low vacancy rate

There should be many more market rate apartments to bring down the excessive rental costs in Davis. Most of the 55.7% of Davis households (the 36,780 renters) are already overpaying rent (more than 30% of income spent on rent is HUD guideline)

Dos Pinos housing co-op has been the most successful home ownership program in Davis. 38 years later it is still providing substantial savings for its moderate income owners. It helps families time and time again rather than a one off bonanza and it's gone forever. There are 122 households on the waiting list for DP (60 units) and the list has been closed since 2017 (2021 info from DP). There are between 6-10 turnovers per year. Why was another Dos Pinos co-op not included in Village Farms?

Dos Pinos (limited equity co-op), Aggie Village (form of UC Land Trust), Greene Terrace (limited equity condo) and the City's Affordable Ownership program (resale limits to provide permanently affordable home for many years to come) have created over 200 permanently affordable homes which have been successfully helping almost 1,000 local Davis families over many decades. Why were none of these models included in Village Farms?

Unlike previous applications there are no permanently affordable For-Sale homes anywhere in Village Farms

If the results for the For-Sale affordable housing are similar to previous misuses of this failed model then we will see a repeat of the previous \$20 million give away of public funds to many households who scam the system. All For-Sale affordable homes must be permanently affordable to help the many in need not a one-time bonanza for the few lucky winners. The council stopped this before and should again

Land alongside Covell should be many more market rate/affordable apartments to encourage higher bus usage. Proximity to Nugget shopping center would support non-vehicle owning renters

Given the existing SF dominance of Village Farms few residents will turn to bus usage

If vehicles are a heavy contributor to climate change should we as citizens be adopting an almost 100% car centric and anti-bus project

Implied bus service within Village Farms is not financial viable due to predictable extremely low density usage

Have Unitrans plan Village Farms for highest possible passenger usage

We'll be building Village Farms over the next ten years which will increase global warming and racial and income disparities in our city rather than a model which could immediately address climate change and increase inclusion

Of 400 acres only 13.5 acres are set aside for very low and low income housing

At 16.7% of units for very low and low income units this is below the 25% previously required and the lowest % of any project in thirty years. Why reduce low income housing to just over the minimum required. Why do the poor get less?

Placement of all low-income housing should be directly on Covell Blvd

109 acres of park and open space set aside for city upkeep will be expensive to maintain Could a few of those acres be assigned to serve low income housing needs? We have an affordable housing crisis not a park/greenbelt crisis

The population of racial minorities in Davis is substantially increased through more low income housing. There are much fewer %s of racial minorities in SF homes

Village Farms plan falls behind on our RHNA very low and low income obligations

The Village Farms project as presented will continue the car-centric SF sub-division that has contributed extensively to global warming and racial exclusion

Without major changes in the Village Farms proposal I will be voting NO and without major changes in the purpose and uses of the Housing Trust Fund (HTF) I will be voting NO on that too. There is too much focus on funding for sale homes and not enough focus on what for me should be the highest priority of the HTF "funding more permanently affordable rentals for very low and low income households."

We will not increase racial and economic integration and diversity if we continue to favor public actions and policies that avoid attacking and removing built in institutional segregation.

Village Farms Scoping Session Submitted Critique due to the City of Davis
smetzker@cityofdavis.org by December 8, 2023

From David J Thompson, 516 Rutgers Drive, Davis, CA 95616
dthompcoop@aol.com MA, in Architecture and Urban Planning, UCLA

David J Thompson, my own opinions and not representative of Neighborhood Partners, LLC or Twin Pines Cooperative Foundation.

| | |
|----------------------|---|
| Habitat | There is an abundance of wildlife, mammals and avian, that are present in the agriculture/open space/drainage areas in the project area as well as at the north end of Cannery where there is open space/drainage. Will the EIR address how wildlife counts will be affected with the proposed development. I assume endangered species will be looked at, but would also like to understand the overall impacts to wildlife. |
| Maintenance | Will there be a feasibility study to determine whether the city can maintain and staff the proposed public amenities. (Parks, streets, etc). City contract landscapers currently struggle to keep up the maintenance of the public areas in the Cannery. Another large development will further dilute the ratio of staff/acre. Will the fees/assessments/taxes from this development support the ongoing costs. |
| Noise | East Village would be adjacent to the Blue Max Kart Club. Will the noise levels be evaluated and would they be subject to City of Davis noise ordinance? If not, will they be 'held harmless' from complaints of noise? I can hear noise from it in the Cannery, so could be quite loud in the East Village. |
| Open Space | Green Acres is proposed as an urban farm. This was tried in the Cannery and it has been a failure. PLEASE make sure appropriate city department and commissions review this in light of all the problems that have been encountered by the tenants that have tried to make a go of it at the Cannery farm. Perhaps consider it for community gardens? |
| Parking/Street Width | Given the new state law prohibiting minimum parking requirements, should the street widths be reconsidered as they will likely be needed for parking (Refer to the parking problems the Cannery is having). This is a particular concern for the apartment areas and the higher density areas. Also, there needs to be analysis of the street widths vis a vis garbage pick up, fire trucks, etc vying for the street at the same time neighborhood cars and bikes are present. This is another lesson to be learned from the Cannery project. Also, if there are internal alleys that garbage trucks cannot access, there needs to be street frontage made available for garbage cans in proximity to the homes (which will take away parking spaces). |
| Parks & Rec | Heritage Oak Park. Has enough acreage been set aside to accommodate the park use, the youth recreation area, as well as parking for those attending/using the site. (Use of The Farmhouse, which the City owns in the Cannery, is greatly hindered from lack of parking. The spill over impact to the surrounding neighborhood causes a parking issue.) |

| | |
|----------------------|---|
| Parks & Rec | Will the current Community Needs Assessment being performed by Parks and Rec be taken into account when evaluating the level of parks/open space/recreation amenities being proposed by the developer in order to make sure Village Farms does not exacerbate any deficit in recreation/park amenities sought for the current residents. Examples of areas of deficit might include aquatics, play fields, pickleball courts. |
| Project Alternatives | I would like to see a project alternative that breaks this into TWO projects, perhaps as delineated in the Phase 1, Phase 2 map. |
| Project Alternatives | A different project alternative footprint that I would like studied would be one that puts a northern border to Village Farms that is contiguous from the northern border of the Cannery. |
| Project Alternatives | I have no objection to the densities proposed, as I think that is where urban planning needs to take us, but I do object to such a large project being entitled. I question whether there is staff capacity to deal with it both in terms of size and the length of time it will take to develop. |
| Traffic | Three roundabouts are proposed on Pole Line. Concern that they are too close together and whether the street is wide enough to accommodate given the amount of traffic and the congestion already on Pole Line |
| Traffic | Concern with the impact on the traffic circle at Cannery Loop and Farmhouse. Additional car traffic into the Cannery will be detrimental to Cannery intersections at Cannery Lane as well as Market. Especially when the apartments are completed and the commercial is developed. From this homeowner's perspective the two most dangerous traffic spots in the Cannery are the traffic circle and the corner of Cannery Loop by the basketball courts. The speed of the cars has created MANY close calls with bikes and pedestrians as well as other vehicles. |
| Traffic | A railroad undercrossing is proposed. Is there any reason to believe the railroad would allow it. Has enough evaluation (civil engineering, hydrology, soils, etc) been done to determine if it's physically and financially feasible. If it has been determined whether the undercrossing can be built, will the EIR look at a mitigation for any traffic impact that the undercrossing was supposed to address. |

Proposed Environmental Sustainability Baseline Features for Village Farms

Submitted by Richard McCann, former Natural Resources Commissioner

December 8, 2023

The City of Davis (City) Natural Resources Commission (NRC) proposed a set for sustainability baseline features for the Davis Innovation and Sustainability Campus (DISC) in 2020 and again in 2022. This list has been edited to account for the differences between a business park and a residential neighborhood, and more recent work conducted by the NRC.

Recommended for inclusion in “Baseline Project Features” submitted for voter approval of the Project pursuant to a Measure D vote

Preface

A key premise of the NRC’s recommendations was that a development project can both avoid investments that will lock in future GHG emissions and save money for residents, businesses and the City in the future. Note that the proposed Baseline Features will likely lower long term project life-cycle costs. For another key Baseline Feature, the costs are simply unbundled and charged to vehicle owners instead of building tenants, thus providing direct financial incentive to vehicle owners to reduce private vehicular use at the project. (City Staff appeared confused about these issues in removing several proposals from the NRC recommendations. Further explanation on these baseline features is included parenthetically.)

Measurement and Verification

To ensure accurate tracking and reporting of achievement of Project sustainability goals and obligations, the Developer will establish a Master Owners Association (MOA) for the Project that reports to the City and is responsible for measurement of, verification of, and assuring compliance with Project sustainability obligations and mitigation measures. The MOA will prepare and submit for City approval a Sustainability and Mitigation Monitoring Reporting Plan. Per the Plan, the MOA will prepare and submit to the City annual reports that describe progress towards meeting sustainability goals and obligations and implementing mitigation measures, including all relevant provisions in the Project’s baseline features. Annual reports will also indicate what actions will be taken in the following year to meet phased actions as part of the sustainability goals and obligations and mitigation measures.

Housing

Housing is included in the Project to maximize environmental benefits of mixed-use development. Specifically, including housing alongside commercial buildings and workplaces encourages walking and biking as commuting options, reduces air-quality impacts, and reduces the Project’s overall carbon

footprint. To further increase the sustainability benefits of onsite housing, the Developer shall commit to the following:

- Overall housing density shall be set at 14 dwelling units per acre (du/ac) to improve energy efficiency and incentivize transit use and foot traffic. [Modified to reflect recent research on appropriate density levels.¹]
- To provide an opportunity for a car-free lifestyle, parking associated with multifamily rental housing will be unbundled. Multifamily rental units will be charged for parking separate from rent.

Energy Efficiency and Usage

The developer shall commit to minimizing carbon emissions by maximizing production of clean energy onsite and ensuring that all Project structures consume 100 percent clean energy. “Clean energy” is defined as energy derived from technologies eligible for California’s Renewables Portfolio Standard (RPS). In addition, the Developer shall commit to the following measures:

- The Project shall meet all CALGreen Tier 1 prerequisites for Residential and Non-Residential buildings in effect at the time of permitting of each phase of the Project.
- The Project shall meet all City of Davis Residential and Commercial Energy Reach Code Standards in effect at the time of permitting of each phase of the Project.
- The Developer shall enter into a purchase and sale agreement with Valley Clean Energy (and/or another electric utility company) for all power produced by the Project in excess of on-site demand. This agreement shall ensure that all power generated but not used onsite is used locally.
- If, after maximizing energy efficiency and on-site production of clean energy, the energy demand of Project structures exceeds the energy produced on-site, then the Developer shall purchase power from solely renewable sources such as Valley Clean Energy’s “UltraGreen” 100 percent renewable and 100 percent carbon-free service (or equivalent) to offset the deficit. This requirement will be continued for the lifetime of the Project by building owners.
- All onsite residential units shall be all-electric (i.e., shall not include natural-gas service).
- All onsite commercial buildings shall be all-electric.
 - (All-electric construction for the building envelope is economically justifiable and is imperative for phasing out natural gas by 2050 to meet the state’s climate goals. The Staff recommended all-electric residential construction for DISC which the Applicant has accepted. This exceeds existing city code which provides an incentive to go all-electric

¹ See “Transit and the ‘D’ Word,” *Access Magazine*, <https://www.accessmagazine.org/spring-2012/transit-d-word/>, Spring 2012.

but does not require it. The NRC asked for a similar approach to the office-type construction in the project. It recognizes that exceptions for manufacturing and other business-related purposes may be needed. Nevertheless, if a residence can be all-electric, the NRC does not see a reason why an office cannot be. All-electric commercial construction can be economically accomplished with equal or lower life-cycle costs than conventional construction. As suggested by the Staff response, state law mandates a cost-effectiveness study before all-electric construction can be required by an ordinance. In this case, however, the requirement would be established by a contract (the Development Agreement) and so it is not apparent that a general cost-effectiveness study is legally required.)

- Prior to beginning construction on each phase of the Project, the Developer shall prepare a report describing plans to incorporate passive heating and cooling strategies into building design so as to reduce overall energy demand. Such strategies may include but are not limited to: construction using thermally massive materials, incorporation of shading devices in the building envelope, strategic building orientation and window placement, and strategic planting of trees and other vegetation. This report shall be subject to review and approval by City staff.
- All onsite buildings (commercial and residential) shall achieve zero net carbon for the building envelope—including heating, ventilation and air conditioning (HVAC), and lighting—with onsite renewables and storage.
- Prior to beginning construction on each phase on the Project, the Developer (and MOA for later phases) shall engage an outside consultant to conduct a solar feasibility assessment for development planned in that phase. The assessment shall identify all appropriate locations for solar photovoltaics (PV) or other future comparable technology, taking into account factors such as structure orientation, grid design, installation cost, and site landscaping. Locations may include but are not limited to rooftops, ground solar arrays, and constructed canopy structures including parking lot shade. The Developer shall implement PV on all recommended locations, up to the extent that Project electricity demands are fully met. Note that this provision is not intended to and shall not substantially interfere with Project requirements for tree canopy.
- The Project shall achieve net-zero energy for outdoor lighting through the use of onsite PV plus battery storage or similar technology.
- In anticipation of improved solar-connected energy storage, the Project shall be designed and pre-wired for future microgrid capacity and energy storage.
 - (Being microgrid-ready means adding conduit to utility pathways so that microgrids can be easily implemented in the future. It is important to realize that this is not a request to for full microgrid installation. By simply installing larger conduits and prepping wiring runs, very little is added to upfront costs and millions of dollars of expenses required to tear up facilities to install the microgrid infrastructure in the future would be avoided.

This is the same rationale as providing purple pipe in anticipation of using reclaimed water in the future. Rejecting this Baseline Feature would functionally support PG&E's wish to continue utility dominance of infrastructure design to the detriment of the City's long term climate and resiliency goals.)

Transportation Demand Management

The Project will need to implement a comprehensive set of design features and Transportation Demand Management (TDM) strategies intended to reduce vehicle trips and vehicle miles traveled (and therefore greenhouse gas emissions), encourage the use of alternative transportation modes such as walking, bicycling, micromobility, public and private transit, and ridehailing/pooling, and provide safe infrastructure for bicyclists and pedestrians. The desired outcomes of a TDM Plan shall be to reduce greenhouse gas (GHG) emissions and transportation total carbon footprint through a reduction of the Project's vehicle miles traveled (VMT). A key strategy should be shifting away from single occupancy vehicle (SOV) use by incentivizing a mode shift to walking, bicycling, public transit, private transit, and/or 3+ carpool.

A designated TDM manager shall be identified for the Project. The TDM manager shall represent the Developer, MOA, or other equivalent Project-related body, and shall report directly to the City.

- Prior to, or concurrent with, adoption of Final Development Agreement, the Developer shall create a TDM plan that includes quantitative goals and temporal benchmarks for shifting away from single-/low occupancy vehicle use. The TDM plan shall also include metrics for assessing progress towards these goals and benchmarks. Responsibility for this task shall reside with the designated TDM manager.
- The TDM plan shall include actions that will result in a reduction of GHG emissions consistent with the City's then current Climate Action and Adaptation Plan (CAAP) and the goal of the City Council to achieve carbon neutrality by 2040. Subsequent phases of the Project shall not be permitted for construction unless the GHG-driven benchmarks for the previous phase of the Project are met.
 - The TDM manager shall coordinate implementation of the Project's TDM strategies with UC Davis to ensure that relevant efforts by both parties are aligned and allow for cooperative ventures where appropriate.
 - Prior to the commencement of construction of each phase of the Project, the Developer/MOA shall commission a traffic study which measures in- and out-flow from the Project and identifies traffic patterns. This analysis will be shared with the City to determine which traffic mitigation measures are necessary beyond those specified later in this document. This analysis will also inform the City on mode share and the potential need for increased public transit services.
 - The Developer/MOA shall review and update the TDM Plan every two years. The TDM Plan update shall include results of a travel behaviors survey, to be completed annually

by the Developer/MOA. The annual survey shall include the travel behaviors of Project residents and employees (e.g., where employees live and by what mode they get to and from work; where residents work and by what mode they get to and from home). The updated TDM Plan, including survey results, shall be made publicly available.

- Prior to Phase 1, the Developer and the City shall agree upon a process for monitoring and evaluating TDM goals on an annual basis, modeled on the process detailed in the Nishi Gateway Project Sustainability Implementation Plan (2015). This monitoring and evaluation process will include an Annual Report, to be transmitted to the City, which details progress towards the actions outlined in the TDM plan and specification of actions required when TDM goals are not met. *(It should be noted that vehicle trip monitoring in the Nishi SIP is a surrogate for transportation GHG emissions, while modeling to estimate actual GHG emissions is preferred.)*

The Project shall include the following features, in addition to features identified by the TDM Plan, to encourage a shift to alternative transportation modes, such as walking, bicycling, micromobility, public and private transit, and ridehailing/pooling:

- The Project shall be designed to accommodate and incentivize private transit, local transit (Unitrans), and regional transit (Yolobus) through the following measures:
- The Project shall include a central transit plaza to serve as the hub for a variety of mode shares.
- The Project shall include transit stops located throughout site to ease pedestrian access such that no transit stop is further than 400 meters from any occupied building.
- The Developer shall petition Yolobus and Unitrans to increase the frequency and capacity of bus service to the central transit plaza as the Project develops. The Developer shall provide funding, if necessary, to the transit services to implement the change.
- Phase 2 cannot commence until after the implementation of an on-demand electric transit to and from UCD and scheduled electric transit to and from the Amtrak/Capital Corridor station running weekdays including the AM to PM peak commute periods.
- To promote transit use, the MOA shall provide upon request free passes for local and regional transit service (e.g., a unlimited access pass similar to Yolobus and Unitrans' pass for UC Davis undergraduates) to the Project's residents and employees.
- The Project shall include parking to accommodate single-occupancy vehicles (SOVs) and carpool vehicles while also incentivizing other modes of transportation:
- As part of the TDM plan, the Developer will determine the appropriate number of parking stalls, which may be fewer than City parking minimums. Commercial parking requirements shall be determined by the TDM plan. For residential development no more than one stall per residential unit shall be provided onsite.

- All employers shall create through the MOA or participate in a regional carpool program that is modeled after and functionally equivalent to the UC Davis goClub carpool program. The program shall be open to all Project residents and employees.
- Carshare and preferential carpool spaces shall be provided, with the number of appropriate stalls to be specified in the TDM plan.
- Parking costs shall be unbundled from the cost of other goods and services. A separate fee shall be charged for all parking spaces (commercial and residential).
 - (Charging for parking is a key mechanism for incentivizing vehicular users to use alternative transportation modes. It will be an important element of the Transportation Demand Management plans that are required for the Project. Staff has claimed that the market won't support a parking charge. It appears, however, that the Staff may be inappropriately applying market studies for public parking in the downtown. UCD charges for parking all over campus, as does other large employers such as Sacramento State and the State of California. Again, it is important to note that probably three-quarters of the anticipated GHG emissions are associated with transportation.)
- Parking cash-out programs shall be offered by any employer who provides a parking subsidy to employees, to give employees who do not drive a cash benefit equivalent to the value of the offered parking subsidy. The MOA shall be in charge of ensuring that employers comply with this program and shall record participation in the Annual Report.
- The Developer shall provide bicycle facilities and infrastructure comparable to the City's Platinum-level Bicycle Friendly Community Certification to support bicycling within and to the site, including the following features:
 - Provide short term bicycle parking, as required by Davis Municipal Code.
 - Provide end-of-commute facilities (showers, lockers, changing rooms) and support electric bicycle charging in all commercial buildings.
 - Provide covered and secured long-term bicycle parking at central locations within the site and at the central transit hub.
 - Provide community bicycle repair facilities.
 - The MOA shall implement a bicycle share program including electric-assist bicycles for employees and residents to use on and off the Project site.
 - A bicycle network of Class IV protected cycle tracks shall connect bicyclists to all areas of the site and all key connecting streets/facilities.
 - The Developer shall provide accessible sidewalks that facilitate pedestrian access within and to the site, including the following features:

- All pedestrian access routes shall be readily accessible by all users, particularly individuals with disabilities. Street design should emphasize universal design through use of appropriate width, grade, surface material, tactile cues, audible cues, and push buttons. The Developer shall reference the United States Access Board Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), or other appropriate reference.

Site Access and Traffic Mitigation Features

The following measures are recommended to improve site access and mitigate traffic impacts of the Project. The Developer shall fund infrastructure to mitigate traffic problems attributable to the project either wholly, where the problem is mainly caused by the Project, or proportionately, for traffic improvement measures where the Project is a partial contributor to the problem. The intent is to avoid subsidization of the Project by the City providing funding for traffic mitigation measures.

As described below, City approvals will not be granted for different phases of the Project until public and private funding are budgeted and available, and regulatory approvals have been granted. In other words, all obstacles to the start of construction have been removed.

The desired outcomes of traffic-mitigation measures are to reduce the transportation total carbon footprint and adverse level of service (LOS) traffic impacts on roads in the Project vicinity.

- Phase 1 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for construction or implementation of all other mitigation measures a Transportation Impact Analysis.
- The Developer shall contribute funding to the City to study and implement bus rapid (BRT) transit strategies, including a bus signal preemption system for freeway access or local traffic bypass.

Parking Lots and Internal Streets

The desired outcomes of design features for the Project’s parking lots and internal streets shall be to: (1) encourage a mode shift from Single Occupancy Vehicles (SOVs) to walking, bicycling, public transit, private transit, ridesharing, carsharing, carpooling, and/or micromobility; (2) encourage use of zero-emission vehicles (e.g., electric vehicles) where SOV use is necessary as well as in any alternative transportation service that relies on passenger vehicles; (3) reduce runoff and heat-island effects amplified by parking lots; and (4) reduce adverse visual, aesthetic, and quality-of-life impacts of working and living near parking lots. To further these desired outcomes, the developer shall implement the following features in its parking areas and/or along the Project’s internal roadway system:

- Low-impact development (LID) features, such as bioswales and permeable pavement, shall be implemented in all streets and surface-level parking to capture and filter runoff and maximize groundwater recharge.
- Landscaping shall provide 80 percent shading of pedestrian walkways and off-street bike paths. At least 50 percent parking-lot shading shall be achieved through either shade trees or PV arrays. Compliance with these requirements shall be demonstrated at the time of building by

securing permits for adequate PV arrays and/or by consulting with a certified arborist on a tree-planting and -maintenance strategy expected to achieve the desired shading area within 15 years of planting. Failure to meet shading requirements shall be considered a code violation and subject to penalty until remedied. Progress towards meeting the shading requirement shall be included in each Annual Report.

- Where feasible, all multi-user parking shall be shaded by solar PV structures. In addition, those structures shall be wired to accommodate direct service electric vehicle (EV) charging. [This element is modified to reflect the deliberations and draft recommendations from the 2x2 NRC / Tree Commission Parking Lot Shade Committee.]
- All parking surfaces or street-adjacent sidewalks that use tree shading shall incorporate structured soil or suspended substrate to allow successful tree-root development. The developer shall size the area of each pavement-treatment site to accommodate the maximum size of a tree that could reasonably be accommodated on that site
- Parking preference and priority shall be given to electric vehicles (EVs) and to vehicles participating in a carpool program. Only carpool and EV parking shall be allowed adjacent to commercial buildings in spots not designated for disabled persons. Spots designated for disabled persons shall not be restricted to particular vehicle types.
- All stalls designated for EVs shall have charging stations pre-installed. Stations shall include a mix of free Level 1 charging and paid Level 2 charging.
- All commercial and residential parking areas shall be EV ready, equipped with infrastructure designed to facilitate installation of EV charging stations as demand grows. This infrastructure will include electrical panels, conduit/raceways, overprotection devices, wires, and pull boxes and will be designed to support vehicle-grid integration. On-site demand for EV charging shall be reported in each year's Annual Report.
 - (Installing wiring and conduit during initial construction will facilitate the expansion of EV charging infrastructure in the future as demand grows. Again, this is not a request to install EV charging stations at every parking slot, only to make every slot EV ready. Installation of the wiring necessary to make parking EV ready will facilitate access by EV users and save millions of dollars in the future that would otherwise be required for retrofitting parking. At some point in the future, microgrid and EV charging facilities can be integrated to run our houses and offices off the storage batteries in cars.)
- All housing shall include one Level 2 EV charger per unit or, if a multifamily building is provided parking at a ratio of less than 1:1, one Level 2 EV charger per parking stall. Townhomes, if built to accommodate two vehicles, will be prewired to allow for the installation of a second charger.
- All commercial parking for non-electric SOVs shall be paid parking. To encourage occasional bus use, no discounts for monthly parking versus daily parking will be allowed.

- The Project shall be exempt from parking minimums otherwise required by the City for new development. Specifically, the minimum number of parking spots necessary for the Project shall be informed by the Project's TDM plan rather than general minimum parking requirements.

Landscaping and Water Conservation

To reduce Project demand on groundwater and potable water and to provide appropriate habitat for native species, the developer shall commit to the following measures:

- All Project landscaping shall be adapted for climate change, drought resistant, pollinator friendly, and maintained organically.
- Native and drought-tolerant plants shall predominate the plant palette. A diversity of native habitats— including but not limited to riparian and California oak savanna—shall be maintained throughout the Project site, primarily but not exclusively within the agricultural buffer and along the drainage channel.
- Turf shall be used only in areas (such as a central community center or organized sports fields) programmed for activities that require turf.
- The Developer shall engage with the Center for Land Based Learning, the UC Davis Arboretum, or other local expert(s) to design and manage its open and landscaped buffer areas. Landscape plans shall be subject to City review, including review by the Open Space and Habitat Commission and the Tree Commission.
- Consistent with the City's stormwater permit and regulations, stormwater runoff shall be captured, conveyed, and detained onsite in a series of bioretention facilities and similar devices intended to filter the runoff, maximize groundwater recharge, and provide deep watering for onsite vegetation.
- To prevent flooding of the channel, stormwater flows shall be retained onsite using swales, ponds, or other appropriate facilities, consistent with City stormwater regulations and system capacity. Stormwater facilities necessary to meet these regulations must be located on-site or on another privately-owned property incorporated within City boundaries. The stormwater facilities should be sized following a joint hydrological investigation with the City.
- The Developer shall install infrastructure suitable for conveying non-potable water to meet all landscape irrigation demands. The Developer shall convert this system to reclaimed/greywater water if and when such service is made available.
- All greywater shall be reused onsite where practical and permissible. The Developer shall install infrastructure (including two-way valves and piping) to support use of greywater from laundry facilities in all townhomes. The Developer shall also identify opportunities for using greywater in multi-family housing and commercial buildings and shall install infrastructure needed to pursue such opportunities. The MOA shall review proposed uses of greywater to prevent

pollution. The MOA may require owners to revisit/update proposed plans for greywater reuse in the future, and may require installation of additional infrastructure as appropriate.

Recycling and Waste Disposal

- All buildings and facilities shall participate in a mandatory, site-wide recycling and compost program to be managed by the MOA. Building maintenance staff will be trained in best practices for maximizing commercial recycling.
- All common areas that include disposal options managed by the MOA shall include solid-waste disposal cans, recycling cans, and compost bins.

Mitigation Measures

The project shall comply with and ensure public or private funding and completion within a two-year period for all Mitigation Measures identified in the Approved Mitigation, Monitoring, and Reporting Plan.

Implementation

Concurrent with the approval of a Final Planned Development and Site Plan and Architectural Review for any structure located at the project site, a Sustainability Implementation Plan shall be developed and implemented to ensure compliance with the Environmental Sustainability Baseline Features to the satisfaction of the City.



December 7, 2023
Sherri Metzker, Community Development Director
Community Development and Sustainability
City of Davis
23 Russell Boulevard
Davis, CA 95616

Subject: Draft Environmental Impact Report Comments
Project: Village Farms Davis
Location: Yolo County Assessor's Parcel Numbers (APN) 035-970-033 and portion of 042-110-029

Attn: Sherri Metzker, Community Development Director

On behalf of the North Davis Land Company, LLC partners, we are submitting the following comments regarding the scope of the Village Farms Davis Draft Environmental Impact Report.

1. **Transportation:** Cumulative traffic studies should only include foreseeable and reasonable projects. Because these projects will not come online at the same time, there needs to be a structural mitigation plan incorporated into the Draft EIR that accounts for a staggered percentage requirement of VMT's from each project. This allows Village Farms Davis to avoid having to over engineer and be penalized for impacts that are not a direct result of our project.
2. **All Cumulative Studies:** For any study identifying impacts tied to cumulative needs of foreseeable and reasonable projects, there should be a structural mitigation plan incorporated into the Draft EIR. This will ensure that the assigned mitigation is fair and appropriate to each individual project.
3. **Impacts:** Village Farms Davis should not be responsible for the mitigation of impacts that are beyond our project. Impacts from previous projects that are improved or resolved by Village Farms Davis should be identified.
4. **VMT:** Please account for the offset of VMT's based on the following:
 - a) The addition of extensive bike and pedestrian access throughout the project, including the addition of two separated grade crossings connecting the Davis bike loop from Nugget Fields to Northstar Park. Community members have expressed the desire to choose to bike versus drive to locations, and Village Farms Davis will provide for safe passage of alternative modes of travel.



- b) Current commuters who live outside of Davis, but work here and drive their children, back and forth to school, two or more times per day, (*currently 1200 and projected to be 1500 in two years*). It is anticipated, and a goal of the project, that many of these commuting families will have the opportunity to move back to Davis with the increased supply of affordable housing and Starter Homes that will be available in the first Phase of the buildout.
 - c) It is also anticipated that a portion of both UCD and DJUSD staff will have more opportunities to move to Davis. Based on the UCD 2022 and 2023 Campus Travel Survey, 57% of UC Davis Faculty & Staff commute to campus each day. According to the latest DJUSD demographic studies, 42% of the Davis Joint Unified School District teachers and employees commute to Davis each day. The conversion of commuters to local residents because of more housing opportunities in Village Farms Davis must be factored into the savings of VMT's.
5. **Fire Station:** Please account for improved Level of Service for Public Safety with the incorporation of the new Fire Station and Public Safety Center.
 6. **Stormwater:** Wherever possible capture energy and emission savings from the enhanced conveyance and distribution of Davis' stormwater management infrastructure.

Thank you,

A handwritten signature in black ink that reads "Lydia Delis-Schlosser". The signature is written in a cursive, flowing style.

Lydia Delis-Schlosser
Project Manager/Liason
North Davis Land Company, LLC
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December 7, 2023

Ms. Sherri Metzker
Community Development and Sustainability Director
City of Davis Department of Community Development and Sustainability
23 Russell Boulevard
Davis, CA 95616
smetzker@cityofdavis.org

Re: Notice of Preparation – Village Farms Davis Project (“Village Farms”)
Cumulative Impacts from the “On the Curve” Project

Dear Ms. Metzker:

Taylor & Wiley represents R&B Delta III, LLC, an affiliated Reynolds & Brown Company, (“R&B” or “the Applicant”) with respect to its 85-acre property located at the southeast edge of the Covell Curve (identified by APN 033-650-009). As you are aware, the Applicant has proposed a residential subdivision on the site (i.e., “On the Curve”) and has a pre-application filed with the City. This comment letter is in response to the Village Farms Davis – Notice of Preparation of a Draft Environmental Impact Report (“EIR”) and the associated scoping period.¹ In sum, given that the “On the Curve” project is a “probable future project” under CEQA, the environmental analysis for the Village Farms project must include the “On the Curve” project in its discussion of cumulative impacts. The analysis below provides an overview of the development history of the property, as well as details pertaining to the “On the Curve” project submitted to the City in August of 2022.

Background on Development Proposals for the R&B Property

In 2014, R&B, in conjunction with Buzz Oates and Ramco Enterprises, submitted an application for an innovation center encompassing their collective properties and

¹ See https://documents.cityofdavis.org/Media/Community_Development/Documents/PDF/CDD/Planning/Special-Projects/Village%20Farms%20Davis%202023/Village%20Farms%20Davis%20Notice%20Of%20Preparation.pdf.

including a City-owned parcel, spanning about 210 acres in size. The innovation center proposal was known as the Mace Ranch Innovation Center (“MRIC”) and was the outgrowth of a lengthy City-led planning process on economic development. After unanimous Council approval, MRIC (which by then had been rebranded as the “Davis Innovation and Sustainability Campus (“DISC”)) was subject to a voter-approval requirement under the City’s “Citizen’s Right to Vote Ordinance” and unfortunately failed to obtain approval at the November 3, 2020 election. After the failed ballot measure, R&B became increasingly convinced that its property would better serve the City’s needs as a purely residential project, and that a subdivision would be complementary to the reduced innovation center that was later re-envisioned as DiSC 2022.

As you know, R&B has since proposed the “On the Curve” project on its 85-acre site and submitted a pre-application to the City in August of 2022. The “On the Curve” project consists of a master planned residential subdivision which includes a broad range of residential densities and housing types, along with parks, greenbelts, community gardens and a surrounding 150-foot agricultural buffer. In total, the “On the Curve” project would include approximately 551-788 units, providing a balanced array of housing types and affordability levels at percentages that intentionally correlate with the housing types identified in the City’s RHNA obligation. As such, the “On the Curve” project seeks to offer precisely the type of housing that the State has indicated Davis should be providing.

In that pre-application submittal, the Applicant requested that the City begin to evaluate the “On the Curve” project and initiate a request with Yolo County LAFCO to amend the City’s Sphere of Influence (“SOI”) to include the 85-acre site. Following various discussions with staff, both R&B and staff determined that the most appropriate next step, given that the “On the Curve” project requires an SOI Amendment, General Plan Amendment, and Rezone, would be for the Applicant to submit the formal application once the City kicked off its General Plan update process (which had been scheduled to commence in 2023). However, the General Plan update was placed on hold due to the more pressing need to finalize the Downtown Davis Specific Plan and finalize the Housing Element update; the City’s website still indicates that the General Plan update process has not been initiated.² Importantly though, the Applicant remains committed to submitting a full application to inform and coincide with the General Plan update process.

² See <https://www.cityofdavis.org/city-hall/community-development-and-sustainability/general-plan-update>.

Cumulative Impacts Under CEQA

Pursuant to CEQA Guidelines Section 15130, an EIR must discuss cumulative impacts of a project for “past, present, and probable future projects producing related or cumulative impacts.”³ Given the site’s lengthy history of development proposals, including the current proposal for the “On the Curve” project, coupled with the fact that the Applicant is an experienced development company, the “On the Curve” project is a “probable future project.” As such, it is appropriate to include the “On the Curve” project in the Village Farms EIR cumulative impacts analysis.⁴

Conclusion

For the reasons discussed above, the “On the Curve” project is a reasonably foreseeable “probable future project” under CEQA and the environmental analysis for the Village Farms Davis EIR must include a discussion of cumulative impacts associated with the “On the Curve” project. We are happy to work with City staff and consultants to ensure that such cumulative impacts are accurately evaluated and are happy to provide additional project information if necessary. If you have any further questions regarding this letter, please email mfuentes@taylor-wiley.com and mkeasling@taylor-wiley.com.

Very truly yours,



Marissa C. Fuentes

CC: Mike Webb, City Manager, City of Davis
Inder Khalsa, City Attorney, City of Davis
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³ See Cal. Code Regs. tit. 14 § 15130(b)(1).

⁴ The Guidelines define a cumulative impact as the condition under which “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” (See Cal. Code Regs. tit. 14 § 15355) More specifically, the cumulative impact from several projects is “the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects.” (Cal. Code Regs. tit. 14 § 15355(b))